# MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, June 1<sup>st</sup>, 2023 **Time**: 07:00 PM Eastern Time

**Location:** City of Manistee Council Chambers

## **AGENDA**

# I Call to Order

Pledge of Allegiance

## II Roll Call

# III Approval of Agenda

At this time, the Planning Commission can take action to approve the June 1<sup>st</sup>, 2023, Agenda.

# IV Conflicts of Interest

At this time, the Chair will ask if any members have any conflicts of interest on the approved Agenda.

# V Approval of Minutes

At this time, the Planning Commission can approve the May 4<sup>th</sup>, 2023, Meeting Minutes.

# VI Correspondence

Correspondence has been shared with the Planning Commission and will not be read aloud.

# VII Presentation/Speaker

Police Chief Josh Glass

# VIII Public Hearing

# IX Public Comment on Agenda Related Items

All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate this portion of the meeting. (A limit of between 3 mins to address Planning Commission).

# X New Business

- 141 Washington Street Special Use Permit Extension Request
- Use Similar 443 Water Street
- Preliminary Site Plan Review 533 1<sup>st</sup> Street

# XI Old Business

- Neighborhood Enterprise Zone (NEZ) Tracy Davis, Housing Coordinator
- Zoning Amendment to parking for condos in C-3 District

# XII Public Comments and Communications

At this time the Chair will ask if there are any public comments. (3 mins to address Planning Commission).

# XIII Staff Reports

Issued Permits & Business Registrations 2023

# XIV Meetings and Trainings Attended by Members

## XV Members Discussion

At this time, the Chair will ask members of the Planning Commission if they have any items they want to discuss.

# XVI Adjournment

# CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street Manistee, MI 49660

# **MEETING MINUTES**

May 4, 2023

A meeting of the Manistee City Planning Commission was held on Thursday, May 4, 2023 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:05 pm by Chair Wittlieff.

# **ROLL CALL**

Members Present: Bob Slawinski, Marlene McBride, Pamela Weiner, Shelly Memberto,

Michael Szymanski, and Mark Wittlieff

Members Absent: Roger Yoder

Others: Katie Mehl (County Planner 1 & City Zoning Administrator) and Nancy

Baker (Recording Secretary)

# APPROVAL OF AGENDA

Motion by Commissioner Szymanski seconded by Commissioner Memberto to approve the May 4, 2023 agenda as printed.

With a Roll Call vote this motion passed 6 to 0.

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

# **CONFLICT OF INTEREST**

None

# **APPROVAL OF MINUTES**

Motion by Commissioner Memberto, seconded by Commissioner Szymanski to approve the April 5, 2023 minutes as printed.

With a Roll Call vote this motion passed 6 to 0.

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

# CORRESPONDENCE

None

#### **PUBLIC HEARING**

# Z23-02-HDC Guidelines #2 Signage

Open 7:07 pm

Ms. Mehl: not changing intent or regulation of zoning ordinance

- ❖ Referencing HDC #2 Signage within Article 15 and Article 21
- ❖ Amend Article 15; C-3 Central Business District; Section 1500
- Amend Article 21; Signs; Section 2103
- ❖ HDC amended their guidelines to be flexible with temporary window signage and to make note of these amendments within the city zoning ordinance

Closed 7:09 pm

# **PUBLIC COMMENT ON AGENDA RELATED ITEMS**

None

# **NEW BUSINESS**

# Z23-02-HDC-Guidelines #2 Signage

Motion by Commissioner Szymanski, seconded by Commissioner Memberto to approve the #2 Signage amendment as written.

With a Roll Call vote this motion passed 6 to 0.

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

# 515 Maple Street—Dumpster Waiver Request

Casandra Ferguson, real estate agent, manage 515 Maple Street property, speaking on behalf of the property owner:

- Requesting waiver
- ❖ 4-sided enclosure would make access for trucks near impossible
- Enclosure would impact on tenants parking
- ❖ Installing wooden 2-sided L-shaped enclosure on cement pad
- Waiting for letter from Republic supporting the trucks difficulty to access dumpster with a 4-sided enclosure

Motion by Commissioner Slawinski, seconded by Commissioner Szymanski to approve the dumpster waiver for 515 Maple Street and to submit the letter from Republic Services to the department once received.

With a Roll Call vote this motion passed 6 to 0.

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

# Neighborhood Enterprise Zone (NEZ)

Tracy Davis, Housing North:

- NEZ in beginning stages
- Out of housing plan accepted by City Council in 2019
- Establish zone in Maxwell town and adjacent
- NEZ provides tax incentives for rehabilitation and housing
- Encourages housing, growth for year-round residential housing
- Residents must apply for NEZ
- Requesting PC review Master Plan-will NEZ fit into it
- Not all places will qualify
- Looking for: NEZ to fit MP, PC and Economic Development in favor and supports

Ms. Mehl: will draft letter of recommendation from PC to City Council for June meeting, PC review MP and provide comments, draft letter can be modified if needed with final letter after meeting to be presented to City Council.

Motion by Commissioner McBride, seconded by Commissioner Slawinski for staff to work on a draft letter of support and recommendation to City Council.

With a Roll Call vote this motion passed 6 to 0.

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

# Zoning Amendment to Parking in C-3 district

# Ms. Mehl:

- Parking requirements as related to hotels/motels and condominiums
- Parking is not required for other uses: retail, restaurants, downtown uses
- Hotels under a certain size could be exempt
- DDA working on Streetscape Plan/downtown parking study
- Parking for residential condominiums
- Many city business owners/staff use downtown parking- taking away from customer parking
- City police may chalk for overparking in downtown over certain number of hours (2 hrs.)
- Can take to attorney to receive legal opinion and recommendation

PC agreed to contact the city attorney on the matter, for their review, opinion, and recommendation--will bring this to the next monthly meeting.

# By-laws Amendment—RRC Board and Commission Training Strategy

# Ms. Mehl:

- Reviewed RRC ongoing tasks
- Board and Commission training strategy document
- ➤ Documentation recommendation: amend By-laws to include a standing agenda with item of Meetings and Trainings-annual training goals
- Amend By-laws:

- Amend 3.9 Order of Business
- o Add #8 Annual Review of Training Goals
- Move #8 Amendments to #9
- Draft By-laws reviewed and approved by attorney
- Present draft By-laws to City Council

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to approve the Bylaws draft.

With a Roll Call vote this motion passed 6 to 0.

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

# **OLD BUSINESS**

None

# PUBLIC COMMENTS AND COMMUNICATIONS

None

## STAFF REPORTS

Ms. Mehl:

<u>Issued Permits & Business Registration 2023</u>

- Compiled list of 2023 issued permits to date (land use, business registrations, sign permits, HDC permits)
- Safe Built inspector has taken another position
- ❖ Fire Department: Chief Cameron has retired; replacement has been chosen
- Working items: 1<sup>st</sup> Street beach concession, fireworks approved at same location, kids' safety day
- City placing new entry signs
- City Council budget, possibly moving planning and zoning in house, county contract expires September 30<sup>th</sup>
- Marc Miller-Chamber working on; survey to PC, top 5 redevelopment sites, joint meeting with council

# **MEMBERS DISCUSSION**

Commissioner Slawinski: Hampton Inn tour, hiring local people

Commissioner Weiner: inquired on bed and breakfast at 5<sup>th</sup>/Pine Streets

Commissioner McBride: inquired on storage unit on 12<sup>th</sup> Street, buildings by 155 8<sup>th</sup> Street were red tagged and projects seem to have stopped

Commissioner Wittlieff: thanked Ms. Mehl for Hampton Inn tours, inquired on dumpsters, Chief Glass to speak at June meeting, 155 8<sup>th</sup> Street apartment open house- job completed- well done, garage next door is over parcel line and rain gutters on garage are needed to control run-

off onto 155  $8^{\text{th}}$  Street, DDA Streetscape will be at downtown West Shore building, inquired on Ringel Oil building

# **ADJOURNMENT**

Motion by Commissioner Slawinski, seconded by Commissioner Memberto to adjourn the meeting. The meeting was adjourned at 8:36 pm.

MANISTEE PLANNING COMMISSION

Nancy Baker
Nancy Baker, Recording Secretary







# **Planning Commission**

May 24, 2023

City of Manistee Planning Commission Members 70 Maple Street Manistee, MI 49660 Katie Mehl
Manistee County Planner
395 3<sup>rd</sup> St.
Manistee, MI 49660
231.398.3525
kmehl@manisteecountymi.gov
www.manisteemi.gov

Dear Planning Commission Members,

The owners of 141 Washington Street are looking to extend their special use permit for a Planned Unit Development. The original permit was issued January 6, 2022, and is set to expire on January 6, 2024. I have included the documentation presented at the January 6, 2022, meeting where this request was heard, as well as the approved special use permit for the development. The Planning Commission may approve an extension per SECTION 1801 SPECIAL USE PROCEDURES. I. Expiration.3. which reads:

"3. If no date is stipulated the special use permit shall expire two (2) years from date of final approval if the applicant has not commenced substantial construction and is not diligently proceeding to completion, or the use has not commenced if the approval does not involve construction. Upon written request by the applicant, stating the reasons therefore, the Planning Commission may extend the time for commencement of construction or use."

The applicant will be present to answer any questions the Commission may have on this request. Please let me know if you have any questions or concerns.

Sincerely,

Katie Mehl

Manistee County Planner

City of Manistee Zoning Administrator



Planning & Zoning 395 Third Street Manistee, MI 49660 231.723.6041 (phone) 231.398.3526 (fax)

# **Planned Unit Development Application**

# **Please Print**

# **Submission of Application**

Applications must be submitted 30 days prior to the meeting for review for completeness. A Planned Unit Development application shall be submitted to the Planning Commission for review, analysis, and recommendation. Each application shall be accompanied by the payment of a fee \$1,200.00 and any applicant escrow payments as required by Section 2701 and in accordance with the schedule of fees adopted by the City Council to cover the costs of processing the application. All land for which application is made must be owned by or under the control of the applicant, and the parcel must be capable of being planned and developed as one integral unit including any noncontiguous parcels. The application must be signed by all applicants and must contain the materials described in this Section. Failure of the applicant to provide such requested information in a timely manner may delay the process of review.

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Property Information				
Address: 141 Washington Street Parcel #51-146-732-04 & 51-146-732-05			Parcel #51-146-732-04 & 51-146-732-05	
		Applicant In	formation	
Name	of Owner or Lessee:C	lover Real Estate Investments,	LLC	
Addre	ss: PO Box 373, Haslett	, MI 48840		
Phone	e #:(517) 290-2458	Cell#:	e-mail: Kevin@CloverREI.com	
Name	of Agent (if applicable	e):		
Addre	SS:			
Phone	e #:	Cell#:	e-mail:	
	Narrative			
	A detailed narrative description of the applicant's intent and objectives (physical, social, and			
	environmental).			
	A certified boundary survey and legal description of the property.			
	A statement of present ownership of all land contained in the PUD.			
	Population profile for the development.			
	Proposed financing.			
	Development staging.			
	Estimated impact of the proposed development on roads, schools, and utilities, including water and sewer,			
	fire protection and emergency services.			
	Waste emissions and methods of handling smoke, dust, noise, odors, liquid and solid wastes, and vibrations,			
	if applicable.			
	Market and economi	c feasibility.		
	Such other information	on pertinent to the developm	ent or use.	
Site Plan Review Process				

A planned unit development application (6 copies) shall be submitted to the Site Plan Review Committee (Subcommittee) of the Planning Commission for review, analysis, and recommendation. An application fee is required and shall be non-refundable. All land for which application is made must be owned by or under the control of the applicant, and the parcel must be capable of being planned and developed as one integral unit including any non-contiguous parcels. The application must be signed by all applicants and must contain the materials described in this Section. Failure of the applicant to provide such requested information in a timely manner may delay the process of review. After recommendation by the Site Plan Review Committee the applicant will submit 10 copies of the application and Site Plan for the Planning Commissions consideration.

# Applicant:

# **Submission Guidelines**

# Items that are bold and italicized cannot be waived

**Detailed site plan** shall include twelve (12) copies of all required information including any documents rendered in color and a digital PDF of the Site Plan shall be forwarded to the Planning and Zoning Department. Unless specifically waived by the Zoning Administrator the site plan shall be prepared by an Engineer, Architect, Landscape Architect or Surveyor licensed to work in Michigan and shall include and illustrate at a minimum the following information:

		in Michigan and shall include and illustrate at a minimum the following information:		
Vaived nitials	Included	Planned Unit Development and Detailed Site Plan Requirements		
	×	The site plan shall be prepared by an Engineer, Architect, Landscape Architect or Surveyor licensed to		
		work in Michigan.		
	X	A scale drawing of the site and proposed development thereon, including the date, name and address		
		of the preparer, a certified boundary survey and legal description of the property. In no instance shall		
		the scale of the drawing be greater than one inch equals 20 feet nor less than one inch equals 200 feet.		
		One copy shall be submitted in a photo-reduced form on 17" x 11" paper. C000		
	X	Property parcel number (from the Assessment Roll of the City). C000		
	X	The scale of the drawing and north arrow COOO		
	X	A vicinity map illustrating the property in relation to the surrounding street system. T000		
	X	Existing and proposed topography of the site at two (2) foot contour intervals, its relationship to		
		adjoining land, and proposed changes in topography. Topography of the site and its relationship to		
		adjoining land illustrated at 2-foot contours and including an area extending 100 feet from the parcel		
		boundary. C000		
	X			
		site and surrounding area within one hundred (100) feet. Existing man-made features, including		
		buildings, fences, landscaping, parking, screening and the locations, heights and footprint of each. $C00$		
	X	The location of all existing trees having five (5) inches or greater diameter at breast height, identified		
	by common or botanical name. Trees proposed to remain, to be transplanted or to be remove			
		be so designated. Cluster of trees standing in close proximity (3-5 feet or closer) may be designated		
		as a "stand" of trees, and the predominant species, estimated number and average size shall be		
		indicated. C000		
	X	All water features; springs streams and creeks, lakes and ponds, wetlands, and flood plains. C000		
	X	Locations, heights and sizes of existing and proposed structures and other important features.		
		Illustration of all proposed improvements and buildings, fences, landscaping, parking and screening,		
		including location, height, footprint of each. C000		
	X	A rendering of the exterior elevation of the proposed buildings and structures, on-site parking,		
		sidewalks, and travel lanes. T001		
	X	<b>Proposed setbacks from property lines and building separations distances.</b> Setback lines and their		
		dimensions. C000		
	X	The percentage of land covered by buildings, parking and landscape open space, or preserved open		
		space. Percentage of land covered by buildings and impervious surfaces and that reserved for open		
		space. C000		
	A land use tabulation summary shall be provided indicating types of uses, acreage for e			
		number of units, densities and land use intensities.		
		Dwelling unit density where pertinent; including a density schedule demonstrating number of each		
	<b>~</b>	dwelling type, if applicable. C000		
	<b>2</b>	Dwelling unit density where pertinent. A120		
	X	Project phasing, if applicable. N/A		
	X	Location of public and private rights-of-way and easements contiguous to and within the proposed		
		development which are planned to be continued, created, relocated or abandoned, including grades		
		and types of construction of those upon the site. Location of public and private rights-of-way and		
		easements contiguous to and within the proposed development which are planned to be continued,		
		created, relocated or abandoned, including grades and types of construction of those upon the site. CO		
	X	Curb-cuts, driving lanes, parking, and loading areas. Curb-cuts, driving lanes, parking and loading		
		areas, including the number of parking spaces and parking calculations; vehicular circulation patterns		
		and features, location and size of all parking spaces and the identification of service lanes and parking.		
	X	Curb-cuts and driveways on adjacent properties. C000		

	XJ	delication and type of drainage, sanitary sewers, storm sewers, and other facilities. Location and type of drainage, sanitary sewers, storm sewers and other facilities, including surface and subsurface				
		drainage for all impermeat	le surfaces on the site and all drain	age calculations. C000		
	X	Existing and proposed water main, sanitary and storm sewer, natural gas, electric, telephone,				
				ons to existing utilities and any proposed		
		extensions thereof. C00				
	X			no greater than two (2) foot contours. CO 00		
	×			ide preventative soil erosion devices or		
	671		after any site work related to the d			
	X			oposed signage including an illustration		
		of all proposed signs, their surface area, height and nature of illumination, in accordance with <b>Article 21</b> . <b>A400</b>				
	X		nce with <b>Section 525.</b> PL100			
	X			The proposed landscape massing, open		
				facilities pursuant to the landscaping		
		=	<del>-</del>	ated landscape plan prepared in accord		
		with <b>Section 531</b> of this Zo		atea tanassape pian proparea in accerd		
	X			adoption of this Ordinance, the site plan		
		shall illustrate all structures	and buildings, drawn to scale locate	ed on the previously undivided property.N/A		
	X	Any additional material in	formation necessary to consider t	he impact of the project upon adjacent		
				e Planning Commission. Any additional		
				roject upon adjacent properties and the		
	-			or or the Planning Commission. C000		
	X	agency. C000	permits, changes or modifications	required by any applicable regulatory		
	X	Special Groundwater Prote	ction. [If applicable – requirements	s will be provided] N/A		
			Authorization			
		AND AFFIDAVIT:				
	_		-	asee, $\square$ owner's representative, $\square$		
contra	ctor invol	red in the application; and	d that the information included i	n this application is correct. Further,		
if the r	equest is	approved, the applicant w	rill comply with all of the require	ments of the City of Manistee Zoning		
Ordina	nce and	certifies that measures p	roposed to mitigate adverse im	pacts will be completed in a timely		
fashior	n. The un	dersigned, by signing the	Application, agrees to pay any a	and all fees and escrow payments in		
full as	provided	n <b>Article 27.</b>				
		DocuSigned by:		11/3/2021		
Signat	ure:	kevinSchaeff	ur l	Date:		
7F29C36D8C99477			Date:			
		orporated or a Limited Liabi	lity Corporation a copy of the Artic	les of Incorporation are to be submitted		
	plication.	1 . 1				
				to make a site inspection if desired.		
☐ Yes ☑ No Please indicate if the applicant will be tax exempt, applying and/or eligible for tax abatements, credits or deferments for this proposed project. If Yes, explain:						
[The Planning Commission may request this additional information after the Public Hearing on the application]						
Office Use Only						
Fee: [	<b>J</b> \$1,200	.00 🗖 \$ E	scrow Payment	Receipt #		
	Received	-	ring Date:	PC -		

Kevin Schaeffer Clover Real Estate Investments, LLC 5548 Silverleaf Ct. Haslett, MI 48840



November 1st, 2021

Manistee Planning & Zoning 395 Third Street Manistee, MI 49660 (231) 723-6041

Subject: Planned Unit Development - 141 Washington Street, Manistee

In September of 2021, Clover Real Estate Investments purchased the building located at 141-149 Washington Street, Manistee, MI 49660.

Our plan is to fully renovate the interior and exterior of the building by adding ten 1-Bed/1-Bath apartments to the upper level and five 1-Bed/1-Bath apartments to the lower level. Additionally, we plan to white-box the commercial space (in hopes of attracting a high-end meat market/grocery store to the area) and restore the building's exterior to its historic state. We are confident this will help fill the demand for high-quality, downtown housing in Manistee and offer a convenient way for the entire community to obtain quality meat, food, and other essential items.

Our intent is to rent to long-term tenants. Our target rent for each apartment is approximately \$1,000/month. The project includes on-site parking and an elevator is proposed to assist both the commercial and residential tenants.

The project is expected to cost approximately \$3,250,000.00 which will be financed by debt, equity and city, state, and federal incentive programs. Once initiated, it is expected that the construction period will last approximately 8-12 months.

We do not anticipate any negative impact to the surrounding environment nor any excessive demand on the local utilities.

# MANISTEE RENOVATION

141 WASHINGTON STREET, MANISTEE, MI

RENDERING - FOR REFERENCE ONLY



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HISTORIC PHOTO - FOR REFERENCE ONLY



# DRAWING LIST PROJECT NOTES

DRIVEN DESIGN

- CONFRACTOR SHALL BE RESPONSBLE FOR ALL SHORING REQUIRED TO EXECUTE V. CONFRACTOR SHALL COORDINATE ALL TRIPOPARY CONSTRUCTION WITH THE FINE CARD AND OWNER TO ASSURE A MINIMUM AMOUNT OF INTERREPTON WITH THER SACTIVITES.
- THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL BE RESPONSIBLE TO OBTAIN AND PAY FOR ALL LOCAL/REQUIRED FERMITS AND INSPECTIONS.
- 3D VIEWS AND RENDERINGS ON THIS PAGE AND THROUGHOUT THE SET ARE F ONLY, VERIFY ALL CONSTRUCTION DETAILS THROUGHOUT THE BUTRE SET OF

NOT FOR CONSTRUCTION

# PROJECT DESCRIPTION

AN EXETNC HISTORIC BUILDING B. BEING RENOVATED INTO NEW APARABENTS RF.2 (BEI AND BUSINESS AND PETALL USES OF THE THEST FLOOR. THE STIFE IS BEING REDEVELOFED TO INGREASE. PRINTIC, AND LANDS CAPING.

# **ZONING MAP**

AREA MAP





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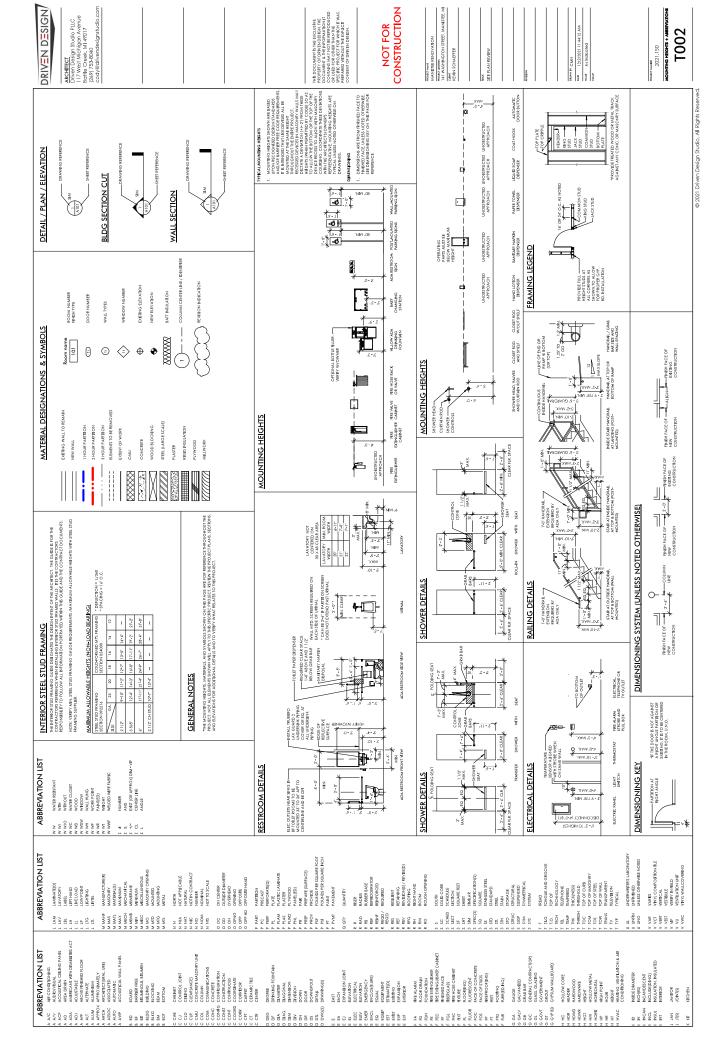


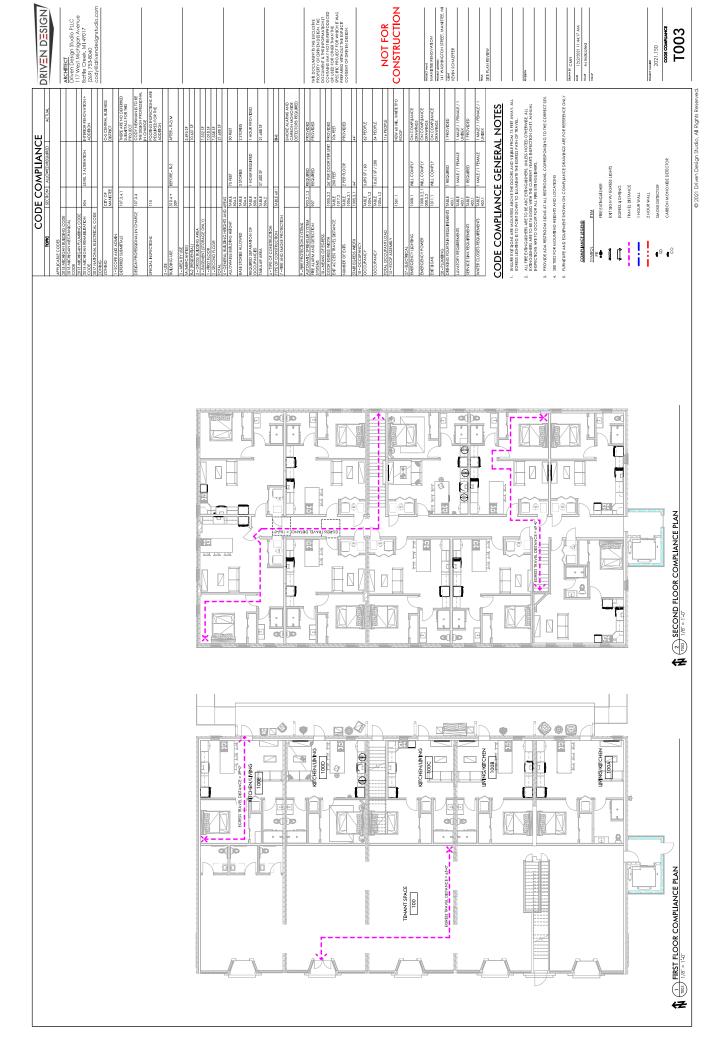


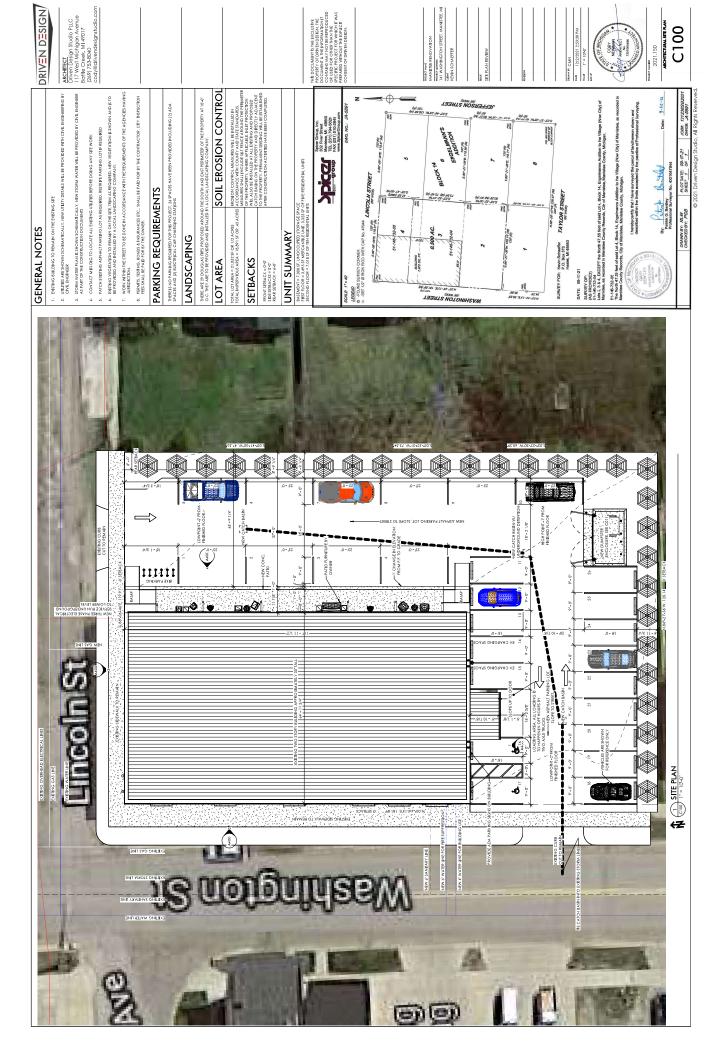


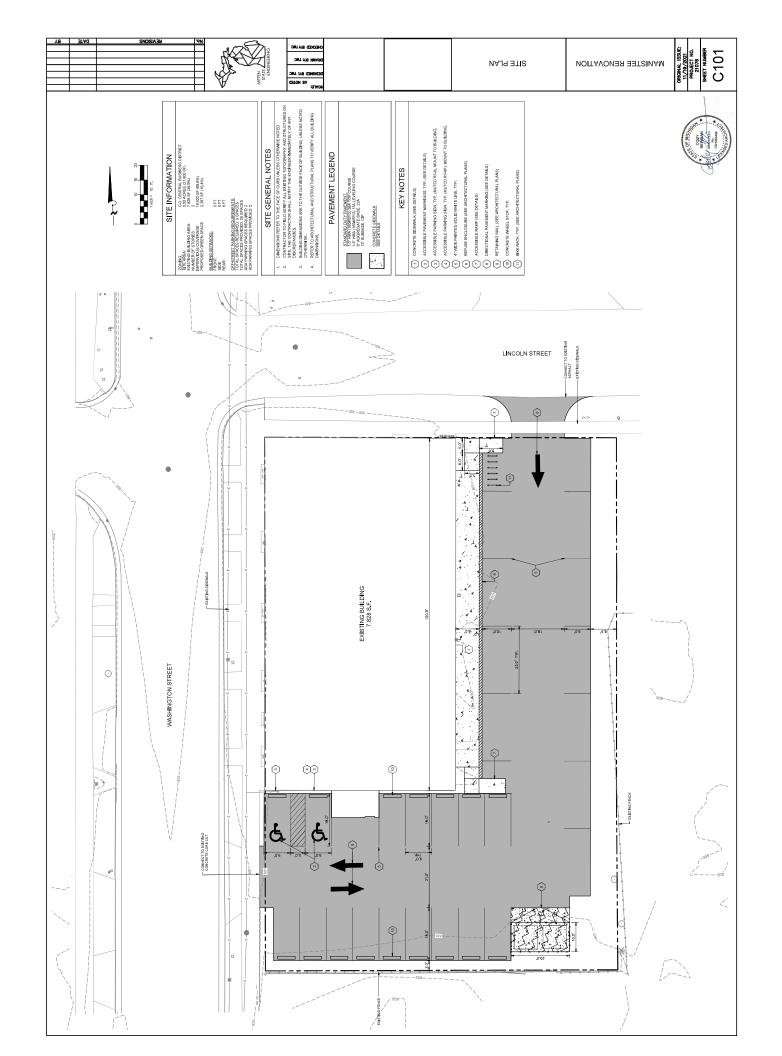


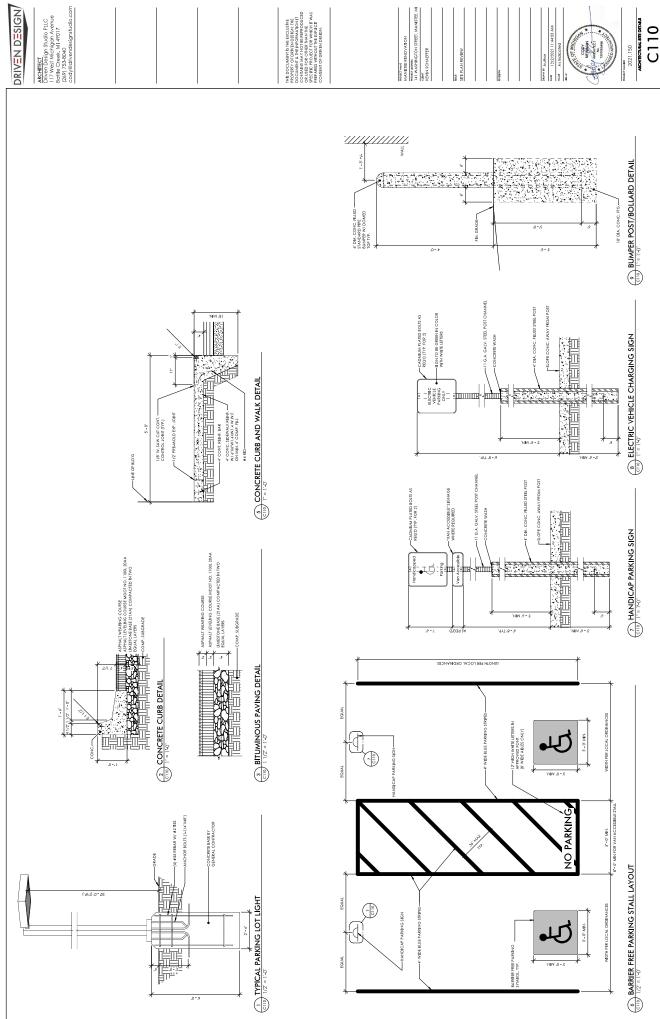
RENDERINGS - FOR REFERENCE ONLY



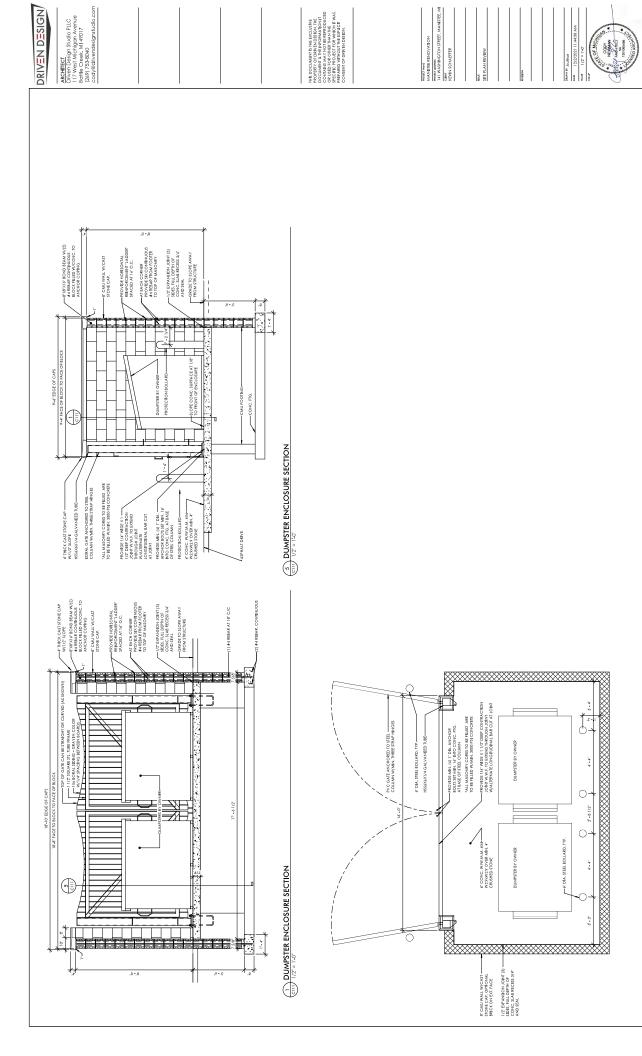








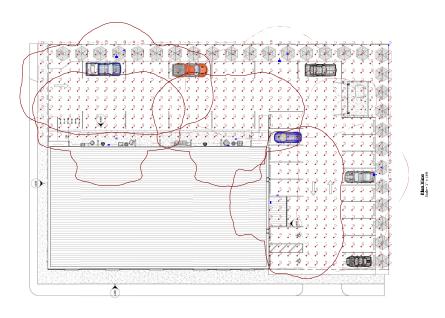
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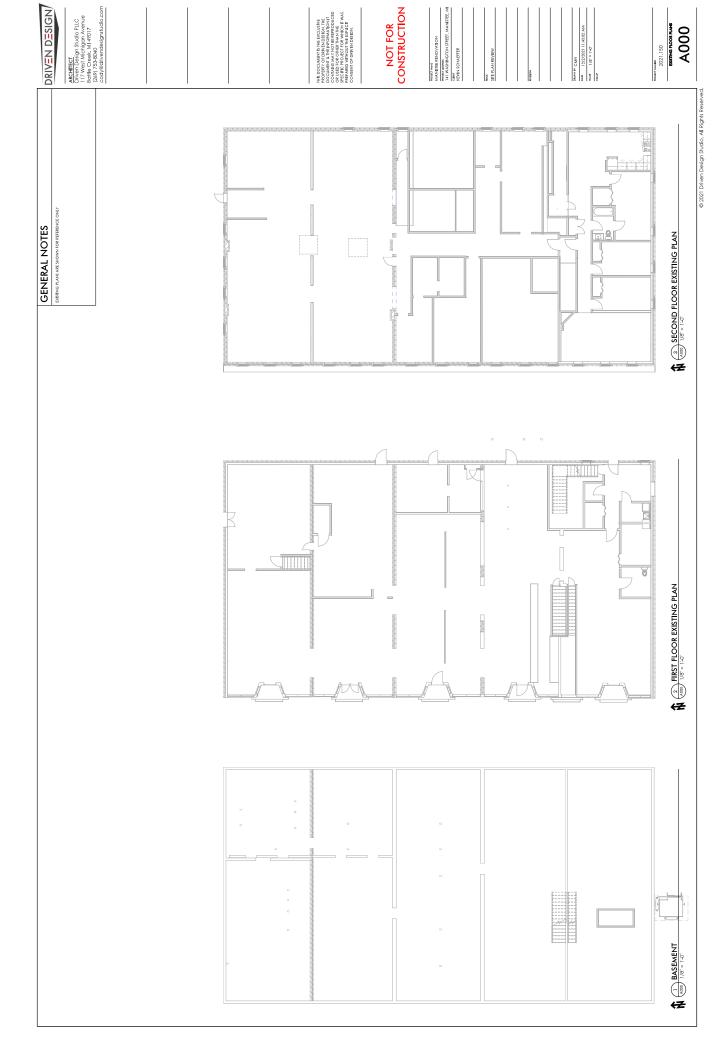
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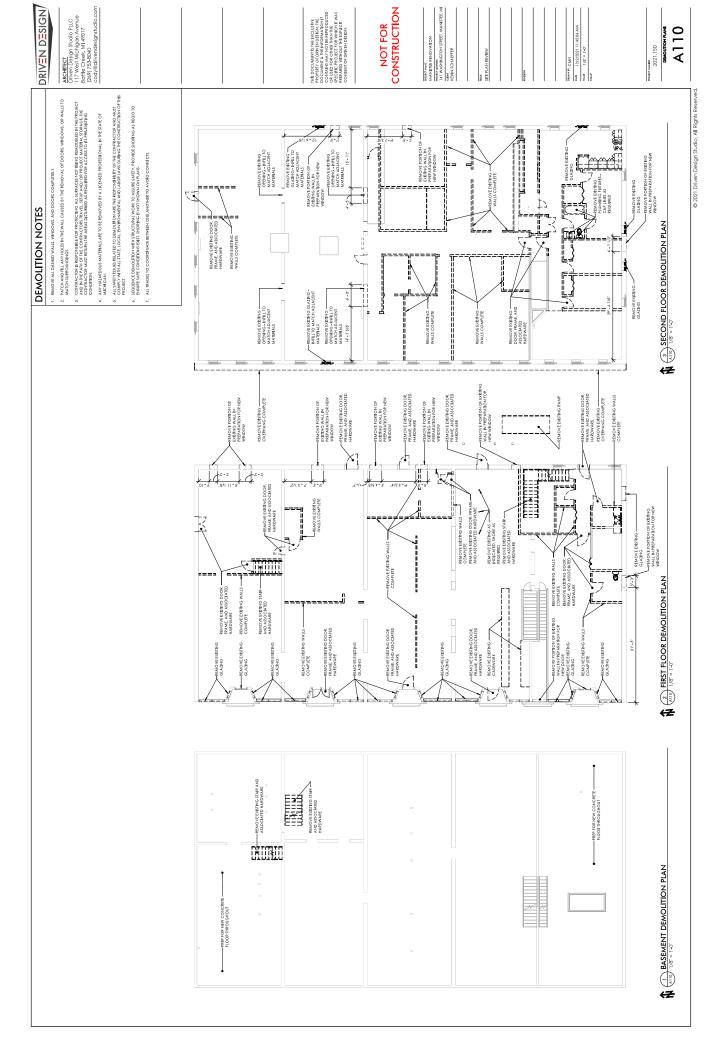
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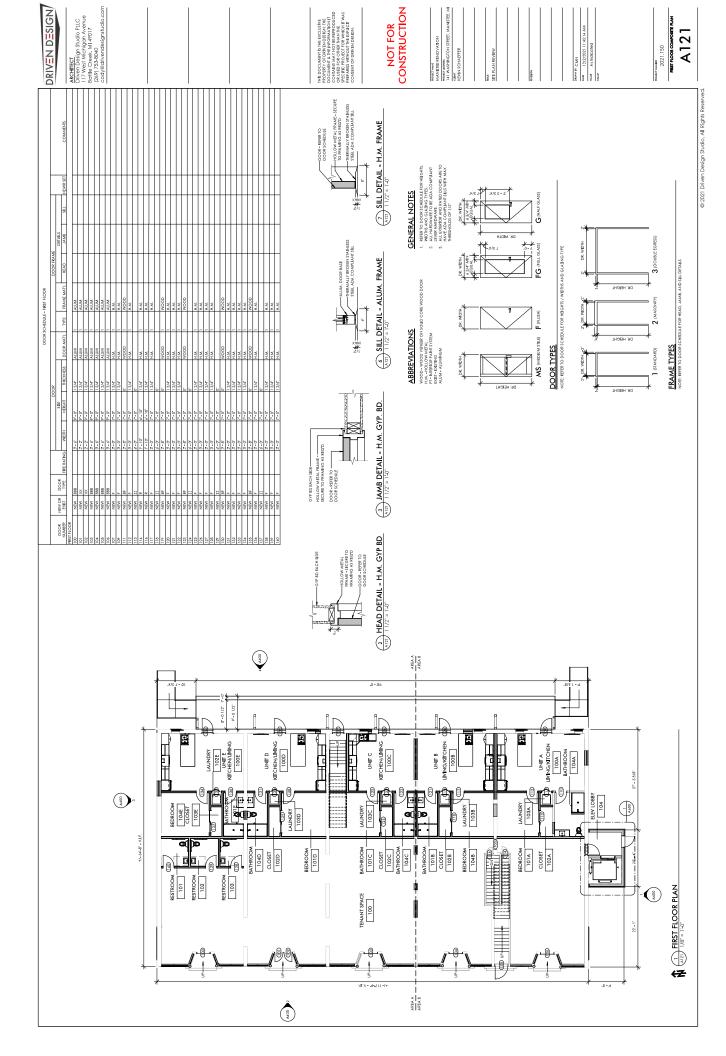
DOUBLE DUMPSTER PLAN

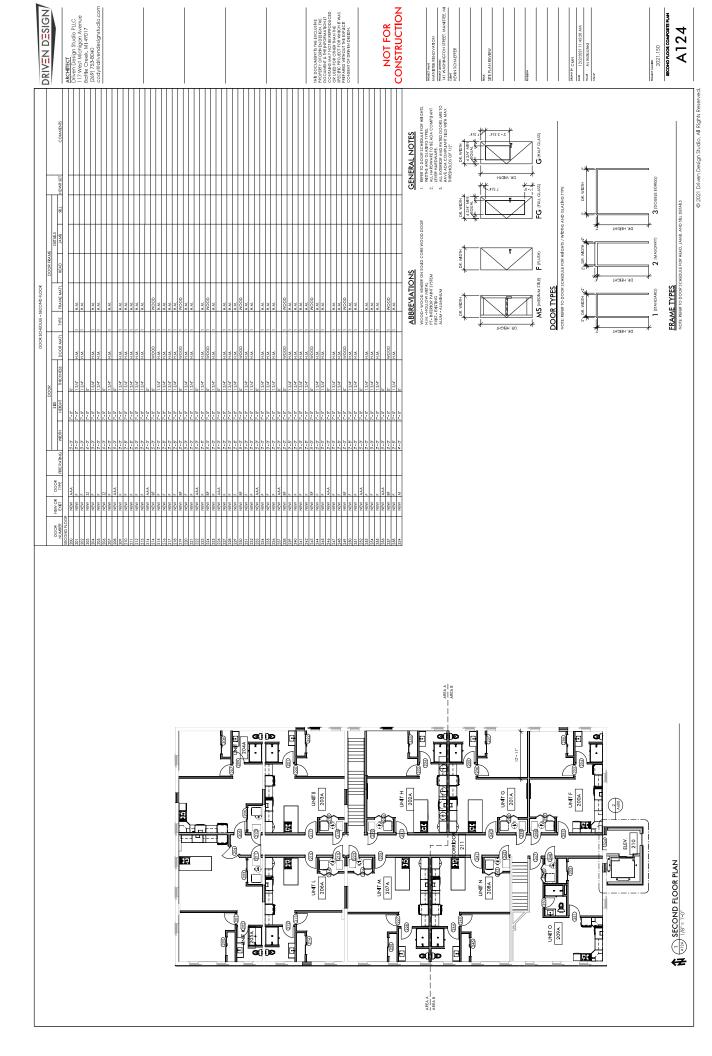


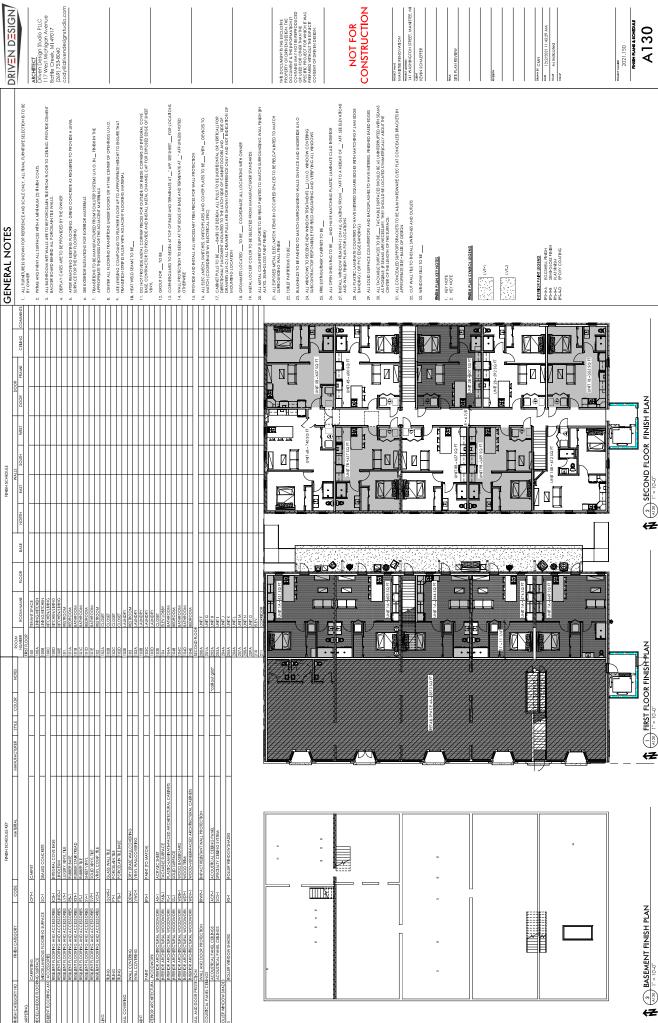
t Notes	ESSENDO I	
Polar Plo	Page Street	4
Distribut	SHORT, SHORT, BUG RATING: B1 - U0- G2	TYPE IN, MEDIUM, BUG RATING: B1 U0- G2
LLF Wattage Efficiency Distribut polar Plot	100%	100%
Wattage		
à	8872,892	5342,595
Lumens Lemen per Multiples Lemp r	-	
Lumens per Lamp	E C	2343
Number Filename Lamps	DSXQ_ED_F5 _40k_T40_fvv OLT_H5,les	DSXWI_UED_2 0C_700_40K_T 49LPVOLT; les
Number	-	-
Lamp	9	9
Description	DSXQ LID PS 40K T4M DSXQ LID PS 40T T4M MVOLT W/VOLT HS with housestide shield	DSXW1 LED WITH (2) 10 LED LIGHT ENGINES, THE T4M OPTIC, 4000K, ® 700mA,
QTY Manufacturer Catalog Number	DSXD LED P5 40K T4M NVOLT H5	06XW1 LED 30C 700 40K T4M HVOLT
Manufacturer	Ughting	Ughting
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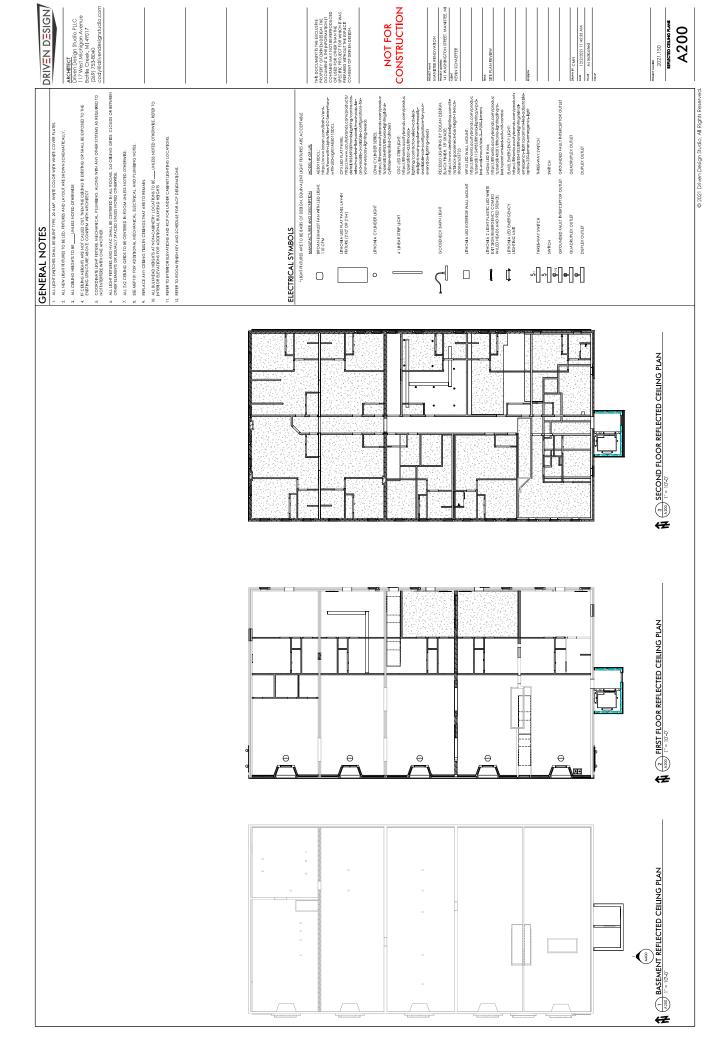


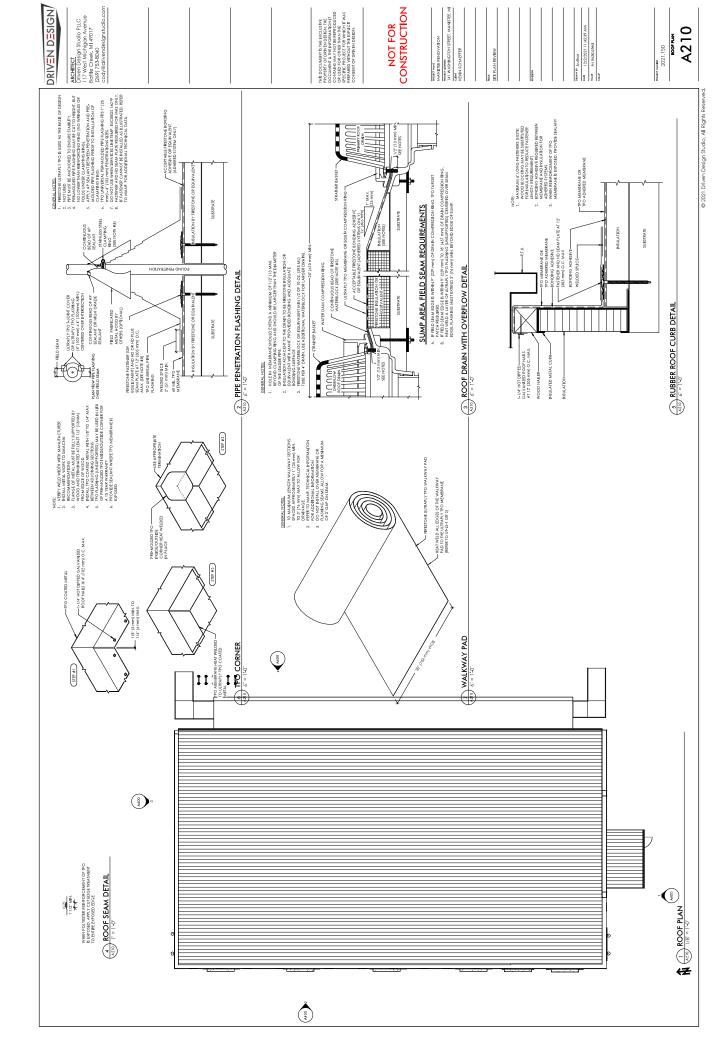


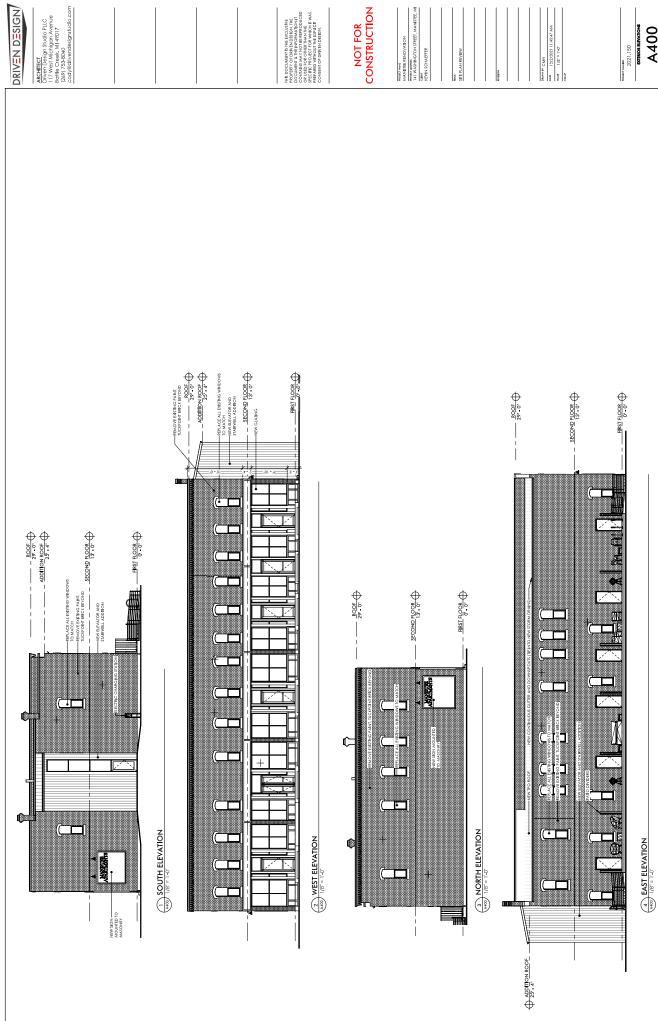
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A130

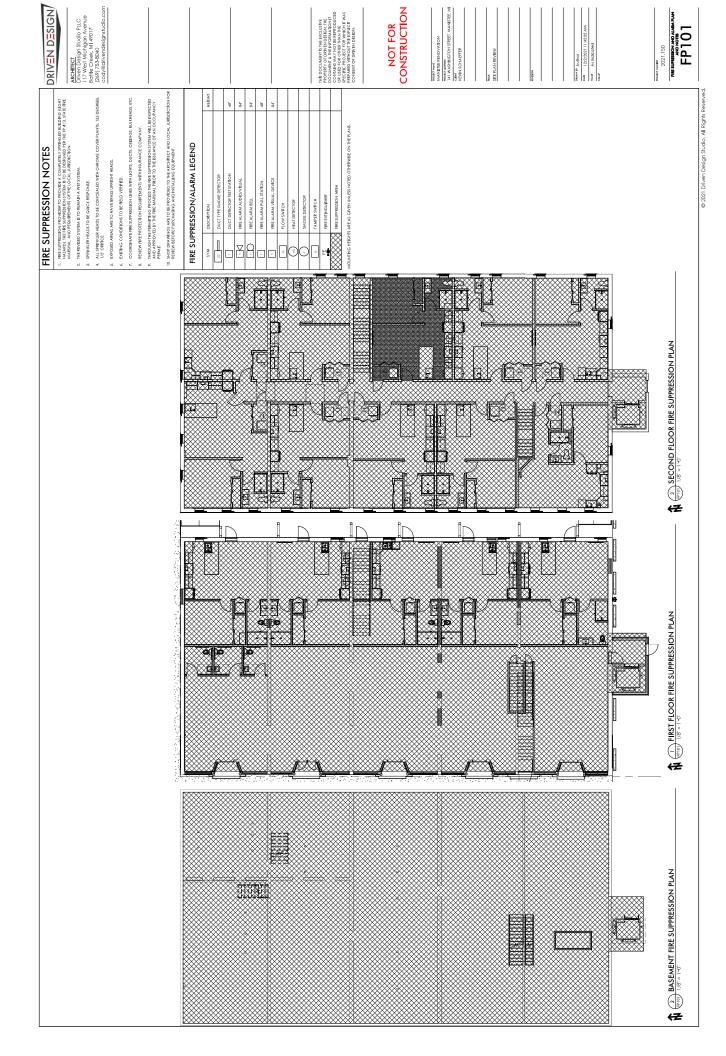
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A400



# SPEICAL USE PERMIT PLANNED UNIT DEVELOPMENT

#### CITY OF MANISTEE

70 Maple Street Manistee, Michigan 49660

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 18: Standards and Requirements for Special Uses, of the Manistee City Zoning Ordinance, effective March 27, 2006.

Name of Property Owner/Permit Holder: Clover Real Estate Investments, LLC Mailing Address: PO Box 373, Haslett, MI 48840

Description of Property affected by Special Use Permit: **51-146-732-10 AMENDED MAP OF ENGELMANNS ADD, LOTS 2, 3 & 4, BLOCK 14.** 

Description of Special Use Granted, as Permitted in **Article #18 Section #1870 – Planned Unit Development** 

Special Use Permit Application #PC-2022-01
Approved by the Planning Commission on January 6, 2022

As described in Attachment B - Resolution to Approve & Site Plan #:

2021.150 dated 12/2/2021

# PERMIT CONDITIONS AND REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements as contained in Article 18, Section 1870:

## **CONDITIONS:**

- The project has expiration date of January 6, 2024
- A Third-Party Review of the suppression system is needed.
- A Third-Party Review of the fire alarm system is needed.
- FDC location and specifications to be approved by the fire department.
  - o Fire hydrant to be located within 100' of FDC.
- Knox box to be installed. There is one in place already, but new keys will need to be provided for the building to be placed inside the existing box.
- 2-hour separation is needed between the mercantile and R-2.
- Is the fire escape ladder on the north side being removed?
- Elevator to be sized so that EMS stretcher can fit inside of it without collapsing.
- Preliminary plans will need to review construction plans when complete.
- Traffic/ Parking Using existing curb cuts. Will need detailed grading plan with construction plans.
- Storm Sewer will need storm sewer details, detention details, and calculations with construction plans. Need to show grading on construction drawings verify no stormwater runoff is not going onto neighboring properties.
- Storm sewer on Washington will have adequate depth and is adequate size for the outlet.

- New sanitary lead, potable water leads, fire suppression lead appears to be adequate. Required fire flow demands should be provided by architect/engineer with construction plans.
- The storm tie in on Washington will need to occur within an existing or new manhole structure.

## TRANSFER OF PERMIT

This permit is transferable only in accordance with Article 18, Section 1801.H of the ordinance.

# **EXPIRATION OF PERMIT (as per Article 18 Section 1801.I):**

A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

- 1. If replaced or superseded by a subsequent permitted use or Special Use permit.
- 2. If the applicant requests the rescinding of the Special Use permit.
- 3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
- 4. If the use is abandoned, moved, or vacated for a period of one year.

# **VIOLATIONS OF PERMIT (see Article 18 Section 1801.J):**

Any violation of the terms, conditions or limitations of a Special Use permit shall be cause for revocation or suspension of the permit. The Planning Commission may either revoke or suspend, pending correction of the violation, any Special Use permit. The act to revoke or suspend the permit shall occur after giving notice to the permit holder, specifying the alleged violation(s) and disclosing when a hearing will be held on the matter. The notice shall be delivered by registered mail. Any interested party may appear in person or by attorney at the hearing. The act to revoke or suspend the permit shall occur after or at the hearing on the matter. Before revoking or suspending the permit, the Planning Commission shall make a finding that a material violation of the Special Use permit exists. The permit holder shall be given reasonable opportunity to correct the violation(s).

# **CERTIFICATION OF PERMIT**

The above SPECIAL USE PERMIT was granted by the Manistee City Planning Commission pursuant to the requirements of the Manistee City Zoning Ordinance.

DATE OF APPROVAL:	January 6, 2022	CITY OF MANISTEE	
STATE OF MICHIGAN	) ) SS.		
COUNTY OF MANISTEE	•	Katelyn Mehl Zoning Administrator	Dated
Katelyn Mehl to me kn		lotary Public in and for said County, pers son described in and who executed the w e act and deed.	
Notary's Stamp			
(Notary's name, count and Date Commission		Notary's Signature	
permit holders of thei	o hereby certify that I are r authorized legal repre to comply with all of the	am (we are) the person(s) listed above as sentative. I (we) do further certify that I requirements and conditions of this permi	(we) have read,
STATE OF MICHIGAN	) ) SS.		
COUNTY OF	) Clover	Real Estate Investments, LLC/ Kevin Scha	effer Dated
	estments, LLC/ Kevin Sch	lotary Public in and for said County, pers naeffer, to me known to be the same per acknowledged the same to be his/her fre	son described in
Notary's Stamp			
(Notary's name, count and Date Commission		Notary's Signature	

Prepared by: KATELYN MEHL ZONING ADMINISTRATOR CITY OF MANISTEE 70 Maple Street Manistee, MI 49660 231.398.2805





# **Planning Commission**

May 24, 2023

City of Manistee Planning Commission Members 70 Maple Street Manistee, MI 49660 Katie Mehl
Manistee County Planner
395 3<sup>rd</sup> St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Dear Planning Commission Members,

I received a request to initiate a land use on a property in the C-3 Central Business District that is not listed as an allowable use within the district. Staff has found the use proposed is similar to a use permitted by right. When this occurs, the Zoning Ordinance allows for the Planning Commission to decide if the use may be sufficiently similar to uses listed as permitted by right or as special uses, per Section 530: Unclassified Uses.

# SECTION 530 UNCLASSIFIED USES

The Planning Commission may find that a land use, while not specifically classified in this ordinance as a permitted or special land use, may be sufficiently similar to uses listed as permitted by right or as special uses. In that event, such unclassified uses may be reviewed and treated as similar classified uses within the district. In reaching such a finding, the Zoning Administrator shall first evaluate the proposed use in terms of the potential generation of traffic, congestion, noise, odors, dust, litter and similar impacts. In addition, the proposed use shall be evaluated to determine the degree to which it may support or conflict with the intent of the district and other permitted and special land uses. If the Zoning Administrator determines that such use is similar to the uses permitted by special use permit, a report outlining the determination shall be provided to the Planning Commission with a recommendation to consider such use as sufficiently similar to permitted or special land uses within the district and the approval standards that should be used to evaluate the proposed use. Where a proposed use of land or use of building is not contemplated or specified by this Ordinance or where the Zoning Administrator has a question as to the appropriateness of a use which, although permitted, involves other features which were not contemplated or specified by this Ordinance, the Zoning Administrator shall request a determination by the Planning Commission. If the Planning Commission determines that such use is not contemplated or specified by this Ordinance, or that it involves features which were not contemplated or specified herein, such use shall be prohibited.

This memo will serve as the report by the Zoning Administrator, indicated in section 530, outlining the determination of this use being sufficiently similar to permitted or special land uses within the district. The property in question is addressed as parcel ID # 51-349-708-05, commonly known as

443 Water Street. The proposed use of the property is a Mixed-Use Development for a Professional Office and Golf Cart Rental. The specific underlying use that is not identified in the Zoning Ordinance is Golf Cart Rental. Staff has found the proposed use of the property for a Mixed-Use Development with the identified underlying use of Golf Cart Rental is similar to the use of a Retail Business, which is a permitted use in the district. Please see below for the definition of this use:

RETAIL BUSINESS: An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Due to the proposed use not entirely fitting the above definition, staff felt it was most appropriate for the Planning Commission to determine if the use is similar to the permitted use of a Retail Business. The proposed use has been evaluated in terms of the potential generation of traffic, congestion, noise, odors, dust, litter and similar impacts. Of the terms listed, there would be no further impact from this proposed use than what may be seen for a "Retail Establishment", or other similar uses permitted by right within the district.

The intent of the C-3 District is to protect and strengthen the commercial core of the City of Manistee as a regional and specialty shopping, service and entertainment area; to encourage a broad range of compatible retail, service, entertainment and residential uses formed vibrant, walkable and attractive districts in concert with the objectives of the Master Plan and Downtown Development Authority Plan; while establishing standards to manage traffic and parking, operational impacts, parking and shared parking, loading/unloading area, landscaping, and building form intended to complement existing commercial uses and surrounding residential neighborhoods. Staff has determined the proposed use meets the intent for the district being a low-impact commercial use of the property.

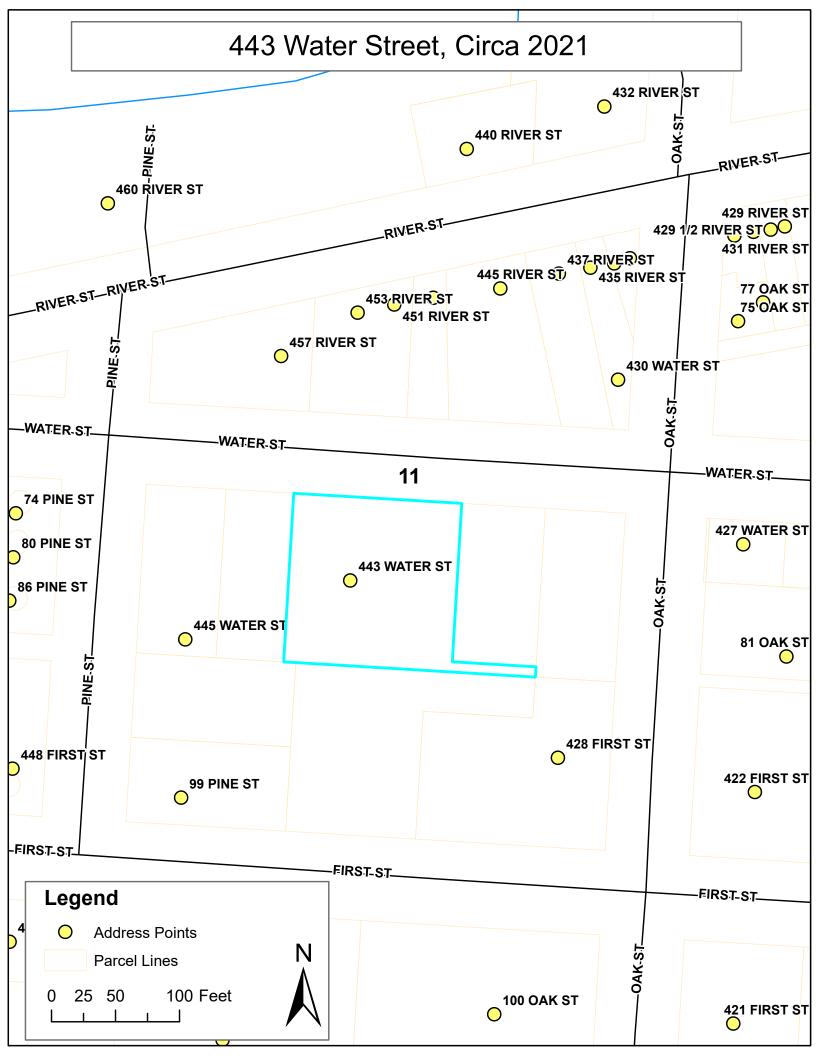
At this time, staff is requesting a determination on if the use of "Golf Cart Rental" is sufficiently similar to other uses permitted by right within the C-3 Central Business District, specifically a "Retail Business" as defined by the City of Manistee Zoning Ordinance. Following this memo is Article Fifth: C-3 Central Business District for your review and reference as well as the Commercial Land Use Application submitted for the development. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Katie Mehl

Manistee County Planner

City of Manistee Zoning Administrator



## City of Manistee Zoning Ordinance

Article Fifteen
C-3 Central Business
District

As Amended thru January 13, 2023

### ARTICLE FIFTEEN C-3 CENTRAL BUSINESS DISTRICT

### SECTION 1500 PURPOSE AND INTENT

It is the intent of this District to protect and strengthen the commercial core of the City of Manistee as a regional and specialty shopping, service and entertainment area; to encourage a broad range of compatible retail, service, entertainment and residential uses formed vibrant, walkable and attractive districts in concert with the objectives of the Master Plan and Downtown Development Authority Plan; while establishing standards to manage traffic and parking, operational impacts, parking and shared parking, loading/unloading area, landscaping, and building form intended to complement existing commercial uses and surrounding residential neighborhoods.

### **PERMITTED USES**

- Accessory buildings with floor area less than or equal to the footprint of the principal structure
- ◆ Accessory uses related to uses permitted by right
- ♦ Animal Grooming
- ◆ Community Garden, subject to <u>Section 534</u>
- ◆ Convenience Store w/o fuel pumps
- ♦ Day Care, Commercial
- ♦ Day Care, Group
- ♦ Duplex
- ♦ Dwelling, Accessory
- ◆ Dwelling, Lower Floor Accessory
- ◆ Dwelling, Street/ Ground Floor Accessory
- Dwelling, Upper Story Accessory, subject to Section 1504
- ♦ Eating and Drinking Establishment
- ♦ Educational Facility
- ♦ Financial Institution
- ♦ Gallery or Museum
- ◆ Home Occupation, Minor, subject to <u>Section</u> <u>1847</u>, B, 1.
- ♦ Hotel
- ♦ Laundry and Dry-Cleaning
- ♦ Medical or Dental Office
- ♦ Mixed Use Development
- ♦ Outdoor Recreation, Park
- Parking Facility
- ♦ Personal Service Establishment
- ◆ Place of Public Assembly, Small
- ♦ Professional Office
- ♦ Professional Service Establishment
- ♦ Retail Business
- ♦ Sports and Recreation Club
- ♦ Studio for Performing and Graphic Arts
- ◆ Subdivision, Plat or Condo (of permitted uses)
- ♦ Tattoo Parlor
- ♦ Theater

- Uses similar to uses permitted by right, subject to <u>Section 530</u>
- ♦ Veterinary Clinic
- ♦ Wind Energy Convession System, Accessory subject to <u>Section 515.G</u>

### SPECIAL USES

- Accessory buildings with floor area greater than the footprint of the principal structure
- Accessory uses related to special uses
- Adaptive Reuse
- ♦ Bed & Breakfast
- Contractor's Facility
- Drive-through Establishment
- ♦ Dwelling, Multiple unit
- Home Occupation, Major
- Marina
- Planned Unit Development
- Uses similar to permitted special uses

### **SPECIAL USES**

### **Requires Key Street Frontage**

- Motel
- ♦ Place of Public Assembly Large

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

[Annotation: Mixed Use Development was changed from a Special use to a Permitted use by Amendment Z17-04, effective 6/16/17]

[Annotation: Animal Grooming, Day Care Commercial, Day Care Group, Dwelling Accessory, Educational Facility, Motel, Tattoo Parlor and Veterinary Clinic were ADDED as a Permitted use by Amendment Z18-07, effective 08/31/18]

[Annotation: Motel was ADDED as a Special Use (requires key street frontage by Amendment Z18-07, effective 08/31/18]

[Annotation: Duplex, Laundry and Dry-Cleaning, Parking Facility, Public and Sports and Recreation Club (requires key street

frontage) were changed from a Special use to a Permitted use by Amendment Z18-07, effective 08/31/18] [Annotation: Public was removed from parking facility by Amendment Z22-06, effective 01/13/23]

### ADDITIONAL STANDARDS

- ♦ Site Plan requirements subject to <u>Section 2203</u>, except for upper story dwellings, which are subject to <u>Section 2201, A</u>
- ♦ Vehicular Parking Space, Access and Lighting requirements subject to <u>Section 514</u>
- ♦ Landscaping requirements subject to **Section 531**
- ♦ Signage requirements subject to <a href="Article 21">Article 21</a>
- ♦ Dumpster and Enclosures subject to <u>Section 506</u>
- Outdoor Lighting requirements, subject to Section 525
- ♦ U.S. 31 Corridor Overlay District requirements, subject to Article 19

### DISTRICT REGULATIONS (b)

Minimum Lot Area: Minimum Lot Width: 25 ft. 2,500 sq. ft. **Maximum Dwelling Units/Acre** Max. Building Height 4 stories, or 50' **Minimum Building Setbacks** Maximum Lot Coverage 100% Front<sup>(c)</sup> 0 ft. **Waterfront Yard** 20 ft Side<sup>(d) (e)</sup> 0 or 4 ft. (each side) **Minimum Living Area** 500 sa. ft. Rear<sup>(e)</sup> 6 ft.

- (a) Not more than three units per each fifteen hundred (1,500) square feet of building envelope
- (b) Except as may be permitted pursuant to Section 1870, Planned Unit Development.
- (c) Subject to Section 502, G
- Where a building is not proposed to be sited on the side lot line, a minimum yard of four (4) feet shall be provided.
- (e) When a proposed commercial use is contiguous to a parcel in the R-1, R-2 or R-3 districts, the Planning Commission may require and additional buffer consisting of a ten (10) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to six (6) feet in height, or any combination thereof.

### SECTION 1501 USES PERMITTED BY RIGHT

The following uses of buildings and land shall be permitted within the C-3 District subject to the provisions of Article 22, Site Plan Approval.

- A. Accessory buildings with floor area less than or equal to the footprint of the principal structure
- B. Accessory uses related to uses permitted by right, subject to Section 516
- C. Animal Grooming
- D. Community Garden, subject to Section 534
- E. Convenience Store, without fuel pumps.
- F. Day Care, Commercial
- G. Day Care, Group

- H. Duplex
- I. Dwelling, Accessory
- J. Dwelling, Lower Floor Accessory subject to Section 1505
- K. Dwelling, Street/ Ground Floor Accessory subject to Section 1506
- L. Dwelling, Upper Story Accessory subject to Section 1504
- M. Eating and Drinking Establishment
- N. Educational Facility
- O. Financial Institution
- P. Gallery or Museum
- Q. Home Occupation, Minor subject to Section 1847, B, 1
- R. Hotel
- S. Laundry and Dry Cleaning
- T. Medical or Dental Office
- U. Mixed Use Development
- V. Outdoor Recreation, Park
- W. Parking Facility
- X. Personal Service Establishment
- Y. Place of Public Assembly, Small
- Z. Professional Office
- AA. Professional Service Establishment
- **BB.** Retail Business
- CC. Sports and Recreation Club
- DD. Studio for Performing and Graphic Arts
- EE. Subdivision, Plat or Condo (of permitted uses)
- FF. Tattoo Parlor
- EE. Theater
- FF. Uses similar to uses permitted by right, subject to Section 530
- GG. Veterinary Clinic
- HH. Wind Energy Conversion System, Accessory, subject to <a href="Section 515">Section 515</a>.G

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

[Annotation: Mixed Use Development was changed from a Special use to a Permitted use by Amendment Z17-04, effective 6/16/17]

[Annotation: Animal Grooming, Day Care Commercial, Day Care Group, Dwelling Accessory, Educational Facility, Tattoo Parlor and Veterinary Clinic were ADDED as a Permitted use by Amendment Z18-07, effective 08/31/18]

[Annotation: Duplex, Laundry and Dry-Cleaning, Parking Facility, Public and Sports and Recreation Club (requires key street frontage) were changed from a Special use to a Permitted use by Amendment Z18-07, effective 08/31/18]

[Annotation: Public was removed from parking facility by Amendment Z22-06, effective 01/13/23]

### SECTION 1502 USES PERMITTED BY SPECIAL LAND USE PERMIT

The following uses of buildings and land may be permitted within the C-3 District, as special land uses subject to the provisions of **Article 18**, special land use approval.

- A. Accessory buildings with floor area greater than the footprint of the principal structure, subject to **Section 1804**
- B. Accessory uses related to special uses, subject to **Section 1805**
- C. Adaptive Reuse, subject to Section 1807
- D. Bed & Breakfast, subject to Section 1813
- E. Contractor's Facility, subject to Section 1820
- F. Drive-through Establishment, subject to Section 1828
- G. Dwelling, Multiple Unit, subject to Section 1832
- H. Home Occupation, Major, subject to Section 1847
- I. Marina, subject to Section 1852
- J. Motel, subject to **Section 1861** Requires Key Street Frontage
- K. Place of Public Assembly, Large, subject to Section 1868 Requires Key Street Frontage
- L. Planned Unit Development, subject to <u>Section 1870</u>
- M. Uses similar to permitted special uses, subject to Section 1886

[Annotation: Mixed Use Development was changed from a Special use to a Permitted use by Amendment Z17-04, effective 6/16/17]

[Annotation: Motel was added as a Special Use (requires key street segment by Amendment Z18-07, effective 08/31/18] [Annotation: Duplex, Laundry and Dry-Cleaning, Parking Facility, Public and Sports and Recreation Club (requires key street frontage) were changed from a Special use to a Permitted use by Amendment Z18-07, effective 08/31/18]

### SECTION 1503 DIMENSIONAL STANDARDS

Within the C-3 District, the following dimensional standards shall apply:

- A. Parcel Area No building or structure shall be established on any parcel less than two thousand, five hundred (2,500) square feet in area.
- B. Parcel Width For all uses the minimum parcel width shall be twenty-five (25) feet.
- C. Yard and Setback Requirements The following requirements shall apply to every parcel, building or structure.
  - 1. Front Yard: The minimum setback shall be 0 feet.
  - 2. Side Yards: Except as provided in subparagraph 5 below, the minimum width of either side yard shall 0 feet. Where a building is not proposed to be sited on the side lot line, a minimum yard of four (4) feet shall be provided.
  - 3. Rear Yard: Except as provided in subparagraph 5 below, the minimum rear setback shall six (6) feet.
  - 4. Waterfront yard: For properties abutting the Manistee River Channel, the minimum setback from the ordinary high watermark shall be twenty (20) feet; provided however, that such setback shall not apply to docks, boat launching ramps, and riverwalks.

- 5. When a proposed commercial use is contiguous to an parcel in the R-1, R-2 or R-3 districts, the Planning Commission may require and additional buffer consisting of a ten (10) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to six (6) feet in height, or any combination thereof.
- D. Building Height. Except as a part of a Planned Unit Development, no structure in the C-3 District shall exceed the lesser of four (4) stories or fifty (50) feet in height.
- E. Living Area: No dwelling unit shall be constructed in the C-3 District which has less than five hundred (500) square feet of living area.
- F. Lot Coverage: Up to 100% of the parcel area may be covered by buildings.

### SECTION 1504 UPPER STORY DWELLINGS

- A. Upper story dwellings are permitted in existing structures within the C-3 district. New structures proposing upper story dwellings shall be governed as a mixed use.
- B. Upper story dwellings shall be accessed by a secure entrance dedicated for the exclusive use of building residents and guests.
- C. No commercial or office use shall be located on the same floor as a residential use.
- D. No dwelling unit shall exceed a maximum of two (2) bedrooms.
- E. Each dwelling unit shall have a minimum floor area of five hundred (500) square feet.
- F. A basic site plan shall be required and reviewed by the Zoning Administrator per <u>Section</u> <u>2201</u>, <u>A</u>.

### SECTION 1505 Street/ Ground Floor Accessory Dwelling Standards

- A. Street/Ground Floor Accessory Dwellings are permitted in existing structures within the C-3 district. New structures proposing lower story dwellings shall be governed as a mixed use.
- B. Street/Ground Floor Accessory Dwellings shall be accessed by a secure and separate entrance dedicated for the exclusive use of building residents and guests.
- C. Street/Ground Floor Accessory Dwellings shall have a maximum of three (3) bedrooms.
- D. Street/Ground Floor Accessory Dwellings shall have a minimum floor area of five hundred (500) square feet.
- E. The core living area of a Street/Ground Floor Accessory Dwelling is defined as the common living area and kitchen and shall exclude all bathrooms, closets, porches, decks, and storage areas.
- F. The core living area of any Street/Ground Floor Accessory Dwelling shall be a minimum of three hundred (300) square feet.
- G. Bedrooms of Street/Ground Floor Accessory Dwellings shall have a minimum floor area of one hundred (100) square feet.

- H. Forty (40%) percent of the Street/Ground Floor Accessory Dwelling shall be reserved for commercial space. This reservation of commercial space shall front/align with the public road (not alley) and shall extend into the building for forty (40%) of the Street/Ground Floor area.
- I. All Street/Ground Floor Accessory Dwellings shall meet all applicable Local, State and Federal Building Codes.

### SECTION 1506 Lower Floor Accessory Dwelling Standards

- A. Lower Floor Accessory Dwellings are permitted in existing structures within the C-3 district. New structures proposing lower story dwellings shall be governed as a mixed use.
- B. Lower Floor Accessory Dwellings shall be accessed by a secure and separate entrance dedicated for the exclusive use of building residents and guests.
- C. Lower Floor Accessory Dwellings shall have a maximum of three (3) bedrooms.
- D. Lower Floor Accessory Dwellings shall have a minimum floor area of five hundred (500) square feet.
- E. The core living area of a Lower Floor Accessory Dwelling is defined as the common living area and kitchen and shall exclude all bathrooms, closets, porches, decks, and storage areas.
- F. The core living area of any Lower Floor Accessory Dwelling shall be a minimum of three hundred (300) square feet.
- G. Bedrooms of Lower Floor Accessory Dwellings shall have a minimum floor area of one hundred (100) square feet.
- H. All Lower Floor Accessory Dwellings shall meet all applicable Local, State and Federal Building Codes





Planning & Zoning 395 Third Street Manistee, MI 49660 231.723.6041 (phone) 231.398.3526 (fax)

### **Commercial Land Use Permit Application**

A Medium Site Plan shall be required for all uses other than those that may submit a Basic Site Plan (new dwellings, additions to dwellings, or construction of accessory structures, single family dwellings; accessory structures and additions to existing single family dwellings; and accessory structures and additions to multiple unit dwellings which do not result in an increase in the number of units) or require a Detailed Site Plan (Special Uses). Applications must be submitted 15 days prior to the meeting if required to go to the Planning Commission to review for completeness Please Print

Level I Review: Additions and all the right to forward it to the Site	•	will be reviewed by the Zoning Administrator who shall reserve
the right to forward it to the site		nformation
Address: 443 Water		Parcel # 51-349-108-05
ridaress. 177 Vyger ev	Applicant I	
Name of Owner or Lessee:	All Seasons How	
Address: 451 Ceder	St. Manistee MI	4960
Phone #:	74 2/44	Re-mail: randy Prandy 2010-1-COM
Name of Contractor (if app		
Address:		
Phone #:	Cell#:	e-mail:
License Number:		Expiration Date:
	Project In	
Description of Project (include Front 2,200 Sq. Ft Chop Pental) Uno VIII	ide square feet):  of office space w  space will be lea  rent out golf c	rill remain office space + leased out. sed to a basiness called 25 Cart sarts.
Area of Subject Property:	17,825 Sanft.	Finished Height of Project: LESS HAN 40 Ft.
Zoning Classification:	The William Control of the Control o	
What impacts will project h		7,124
	Author	ization
The undersigned affirms that approved, the applicant will certifies that measures proposignature:	at the information included comply with all of the required to mitigate adverse imp	in this application is correct. Further if the request is airements of the City of Manistee Zoning Ordinance and pacted will be completed in a timely fashion.  Date:
	Office U	Jse Only
Fee: \$100.00		Receipt #
Zoning District:	Notes:	
Signature:		Date:





### Planning Department

May 24, 2023

City of Manistee Planning Commission Members 70 Maple Street Manistee, MI 49660 Katie Mehl
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.398.3525
kmehl@manisteecountymi.gov
www.manisteemi.gov

Dear Planning Commission Members,

The owners of 533 First Street would like to do a preliminary review and presentation of their ideas for the proposed development of the property. There has been no official application received and no determination made by the Zoning Administrator. No action is requested with this agenda item, but the property owners are looking to canvass the Planning Commission and get a sense of the Commissions thoughts on their proposal. Following this memo are the following documents:

- Memo provided to property owners detailing Zoning Administrator's interpretation of the use of the property
- Business Plan provided by property owner

Mr. Grimm will be present at the June 1 Planning Commission meeting to present the proposal and answer any questions you may have. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Katie Mehl

City of Manistee Zoning Administrator

Manistee County Planner

### Pivot! AXE THROWING AND GOLF BUSINESS PLAN

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nclusion:8

### **Executive Summary:**

Pivot! will be a unique entertainment experience for the city of Manistee and surrounding townships. Our business model will offer customers the opportunity to throw axes in a safe and controlled environment, as well as the ability to bring their own food and alcohol. We believe that this concept will be successful due to the lack of competition in the area and the growing demand for alternative entertainment options.

Our target market includes families, tourists, and locals of all ages. We anticipate generating revenue through the sale of hourly axe throwing sessions, group events, and food and beverage sales. Our location is half a mile from Lake Michigan, and we plan to have a full remodel of the facility to accommodate our needs. We estimate that the total cost of construction, equipment and first year operating cost will be approximately \$200,000.

We plan to launch a comprehensive advertising and promotional campaign to drive awareness and interest in our business. Our goal is to have 100% return by the end of the second year. We will achieve this through social media advertising, local advertising, and partnerships with local businesses.

Our management team is committed to providing a safe and enjoyable experience for our customers. We will provide our employees with a comprehensive training program to ensure they are able to maintain a high level of customer satisfaction.

Based on our financial projections, we expect to break even in the first year and generate significant profits in subsequent years. We are seeking \$250,000 in funding to cover the cost of construction and equipment and supplement the first year of operating costs. We have a contingency plan in place to mitigate financial risks and ensure the long-term success of the business.

### Market Analysis:

Pivot! is entering the entertainment industry in the city of Manistee and surrounding townships, which has a population of approximately 25,000 people. There are currently no similar businesses in the area, making us the only provider of axe throwing entertainment.

Our target market includes families, tourists, and locals of all ages who are looking for alternative entertainment options. We believe our unique concept of offering BYOB and food will set us apart from traditional entertainment options in the area.

The competition in the area consists mainly of restaurants and bars, movie theaters, and bowling alleys. However, none of these businesses offer axe throwing entertainment. This creates a significant opportunity for our business to fill a gap in the market and provide a unique experience to our customers.

Our location is half a mile from Lake Michigan, which is a popular tourist destination in the summer months. We believe that our proximity to Lake Michigan will attract both tourists and locals who are looking for fun and unique entertainment options.

We estimate that there is significant demand for axe throwing in the area, based on the growing popularity of the sport across the country. We plan to differentiate ourselves from our competitors by offering a safe and controlled environment, as well as the ability to bring your own food and alcohol.

Our unique selling points include our all-ages policy, BYOB and food, and our location near Lake Michigan. These features will attract customers who are looking for a fun and safe entertainment experience.

Based on our research, we estimate that our target market size is approximately 25,000 people. We anticipate that our marketing efforts will drive significant interest and demand for our services, resulting in a high level of customer satisfaction and return business.

### **Products and Services:**

Pivot! will offer axe throwing and golf simulator experiences, as well as a snack bar and arcade games. Our facility will have 5 axe throwing lanes that can accommodate groups of up to 5 people per lane. Customers can reserve one of our 5 axe throwing lanes for a set amount of time and receive instruction from our trained axe masters. Our axe masters will guide customers on proper throwing technique, safety, and etiquette. We will provide safety gear including eye protection and closed-toe shoes. Our axe throwing lanes will be separated by barriers to prevent any cross-throwing, and we will ensure that there is enough space between each lane for customers to throw safely.

We will also have 2 golf simulators where customers can play virtual rounds of golf. Our golf simulators will use high-quality screens and advanced software to simulate real golf courses. Each simulator can accommodate up to 4 people at a time. Customers will be able to choose from a variety of golf courses and play 18 holes. Our golf simulators will be separated from the axe throwing lanes to prevent any interference with axe throwing and visa versa.

Our snack bar will offer a variety of quick bites and drinks, including chips, flatbreads, pizza, sodas, and juices. We will also have a selection of beer and wine available, pending the acquisition of a license. If a license is not available, we will allow customers to bring their own beer and wine provided it falls in line with city ordinances. Our arcade games will include classics like Pac-Man and newer options like Mario Kart. Our arcade games will be suitable for all ages.

### Safety and Training:

Safety is our top priority at Pivot!. We will have a comprehensive safety protocol in place to ensure the safety of our customers and employees. All our employees will be first aid and CPR certified, as well as trained axe masters. Our axe masters will have extensive training on safety procedures and will guide customers on proper throwing technique, safety, and etiquette. Customers will be required to sign a waiver before participating in axe throwing. Closed-toe shoes will be a requirement to throw axes. Customers will also be required to follow our safety rules and guidelines, which will be posted throughout the facility.

### Facility Design:

Our facility will be designed with safety in mind. The axe throwing lanes will be separated by barriers to prevent any cross-throwing, and we will ensure that there is enough space between each lane for customers to throw safely. Our golf simulators will be separated from the axe throwing lanes to prevent any interference with axe throwing and visa versa. The facility will be well-lit, and we will ensure that the flooring is non-slip and that there are no tripping hazards. Our facility will have a modern and industrial design with a rustic twist, incorporating natural wood elements and metal accents.

### Pricing:

We will charge customers an hourly fee for axe throwing and golf simulator experiences. The fee will be based on the number of people in each group and the duration of the experience. Our pricing will be as follows:

"Early Bird" Monday – Thursday 10 A.M – 4 P.M.

Golf cost - \$35.00 / Hour per screen for 18 holes

Axe Throwing cost - \$20.00 per person per hour per lane

"Early Bird Fridays" 10 A.M – 4 P.M.

Golf cost - \$35.00 / Hour per screen for 18 holes

Axe Throwing cost - \$20.00 per person per hour per lane

"After Work" Monday - Friday 4 PM - Close. 9 PM

Golf cost - \$40.00 / Hour per screen for 18 holes

Axe Throwing cost - \$25.00 per person per hour per lane

"Weekends" Saturday 9 AM – 9 PM and Sunday 10 AM – 6 PM.

Golf cost - \$40.00 / Hour per screen for 18 holes

Axe Throwing cost - \$25.00 per person per hour per lane

We will also offer discounts for groups and special events, as well as package deals that include food and beverage options.

### Target Audience:

Our target audience includes families, young adults, and corporate groups looking for unique and exciting indoor entertainment options. We will target these audiences through targeted advertising, social media, and special events. We will also offer group packages for corporate team-building events and private parties.

### Competition:

While there are currently no axe throwing or golf simulator facilities in the area, there are other indoor entertainment options such as bowling alleys and movie theaters. We will differentiate ourselves from these competitors by offering a unique and exciting experience that cannot be found elsewhere in the area. We will also focus on providing excellent customer service and ensuring the safety of our customers and employees.

### Marketing Plan:

Our marketing plan will focus on building brand awareness and reaching our target audience through various channels. Our strategies include:

Social Media: We will use social media platforms such as Facebook, Instagram, and Twitter to share information about our services, pricing, and special events. We will also post photos and videos of customers enjoying our facilities to showcase our offerings.

Local Advertising: We will place ads in local newspapers, magazines, and radio stations to reach a wider audience in the Manistee area.

Google Ads: We will use Google Ads to target people searching for entertainment options in the Manistee area. Our ads will include information about our services, pricing, and location.

Event Sponsorship: We will sponsor local events such as charity fundraisers and community festivals to increase our visibility in the community.

Email Marketing: We will create a customer database and send regular email newsletters to our subscribers to promote our services and special offers.

Referral Program: We will offer incentives for customers who refer their friends and family to our facility, such as a discount on their next visit.

### Financial Plan:

Our financial plan for the first year of operations is as follows:

Start-up costs: \$250,000

Monthly operating costs: \$50,000

Monthly revenue (based on estimated usage): \$75,000

We estimate that our start-up costs will include expenses such as facility renovation, equipment purchases, supplement first year operating cost and marketing. Our monthly operating costs will include rent, utilities, payroll, inventory, and other expenses. Based on our pricing structure and estimated usage, we anticipate generating monthly revenue of \$75,000.

In order to ensure our financial success, we will monitor our expenses closely and adjust our pricing and offerings as needed. We will also explore additional revenue streams such as merchandise sales and event sponsorships.

### Future Growth:

As we build our brand and reputation in the community, we plan to expand our offerings and potentially open additional locations in other areas. We will also explore partnerships with local businesses and attractions to offer package deals and cross-promotion.

### Conclusion:

Pivot! is a unique and exciting entertainment company that offers axe throwing and golf simulator experiences in Manistee, MI. We prioritize safety and customer service and offer a fun and memorable experience for families, young adults, and corporate groups. With a solid business plan, experienced management team, and dedication to safety and financial success, we are confident that Pivot! will be a successful and thriving business in the Manistee community.





### Planning Department

May 24, 2023

GRIMM KEEPERS LLC 817 DAVIS ST MANISTEE, MI 49660 Katie Mehl
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.398.3525
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www.manisteemi.gov

To Whom it May Concern,

This letter is to serve as a breakdown of the interpretation of the City of Manistee Zoning Ordinance as it relates to the proposed development at 533 First Street, Manistee, MI 49660 for Pivot! Axe Throwing and Golf. This property is in the R-2 Medium Density Residential District and on a Key-Street Segment. Within this Zoning District, there is the allowable use of "Adaptive Reuse" as a special land use. Adaptive Reuse is defined as:

ADAPTIVE REUSE: The development of a new use for a building originally designed for a special or specific purpose which has become obsolete. Adaptive Reuse is the redevelopment, including expansion, into uses which might not otherwise be permitted in a Zoning District. Such uses may include residential, retail, office, eating and drinking establishments and service uses.

The revitalization of the current building on the property to utilize it as a Mixed-Use Development for axe throwing, golf simulators and a food truck appear to be a great fit for Adaptive Reuse for a property that has become obsolete for its original purpose. Although Adaptive Reuse allows for uses that might not otherwise be permitted, the use of an Eating and Drinking Establishment and Mixed-Use Development are allowable uses within the R-2 District. The development would still need to meet all requirements of the Zoning Ordinance such as parking, lighting, setbacks, and lot coverage.

It is understood that parking is going to be limited on the development, but the Zoning Ordinance does provide for the Planning Commission to establish adequate parking under the first paragraph of Section 514 Parking, Bike Parking and Sidewalks with the following statement:

"Where more than one use exists or is proposed on a parcel, the minimum shall be the sum of the required parking for each use, except where it is demonstrated to the Commission that such provisions would be excessive, in which case shared parking may be permitted."

The Special Land Use Standards for Adaptive Reuse also provide for the following:

"c. Parking shall comply with the requirements of Section 514. Parking shall be located within two hundred (200) feet of the building. "

The parking lot adjacent to the Youth Armory is approximately 400 feet from your property, so that would not be an option under the current regulation but there may be other options within 200 feet that would alleviate the required parking minimums as determined by the Planning Commission. Overall, I feel that the business plan for this property is an appropriate fit for Adaptive Reuse and would be a great addition to the City of Manistee. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Katie Mehl

City of Manistee Zoning Administrator

Manistee County Planner





### **Planning Commission**

May 24, 2023 Tracy Davis, Housing Coordinator 70 Maple Street Manistee, MI 49660 Katie Mehl
Manistee County Planner
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Manistee, MI 49660
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planning@manisteecountymi.gov
www.manisteemi.gov

Dear Mrs. Davis,

The City of Manistee Planning Commission has reviewed the 2016 City of Manistee Master Plan as it relates to the incorporation of a Neighborhood Enterprise Zone (NEZ) within the community, specifically the north-east portion of the city that many refer to as "Maxwell Town". The initial proposed zone would also include the surrounding area of Maxwell Town. This is an area of the city where the housing stock needs revitalization, and incorporating a NEZ could provide for the incentive and opportunity for property owners to invest back into their property and in turn their community, by eliminating blight and providing for safe and attractive housing for current and future residents. As quoted from the Master Plan "The revitalization of existing neighborhoods, maintenance of older housing stock and development of new neighborhoods...will continue to provide a high quality and aesthetic form of residential options that create attractive living opportunities for residents."

The City of Manistee Master Plan supports the creation of a NEZ, specifically through sections 2.2.4 Housing Trends and 2.5.1 2.5.1 Residential Land Use and Rental Housing. Section 2.2.4 speaks on the ratio of renter vs. owner occupied housing from the 2010 Census and indicates "The City's vacancy rate is 22% which exceeds the 10% concern for neighborhoods to possibly experience blight, similar to neighboring Townships & the County as a whole." Incorporating a NEZ can help alleviate the blight issues that we see throughout the community. Section 2.5.1. highlights a "Framework for Our Future" study conducted by Networks Northwest, which included a housing analysis at the individual County level in the "Manistee County Housing Inventory, 2014". Some of the highlights from this study include the following:

- Housing affordability impacts home occupation for low-income households. Manistee County has a shortage of 300 owner-occupied homes for households earning less than \$50,000 per year.
- Rentals in Manistee County are unaffordable for an average renter and extremely low-income households (those earning \$20,000 or less per year)
- While about 860 Manistee County rental households are single-person households, only about 500 rental units are 1-bedroom units or smaller. There is a high demand for these units and many households are unable to access them. This pushes individuals into rental units which are larger and more expensive.

In conclusion to these findings, the plan indicates: "The data, although provided at the County level provides insight into housing in the City of Manistee. There is a necessity for single unit rentals as well as an increasing need for housing for the aging population in the City and County. There is also a need for options for smaller single-family homes than what is typically available on the market in our area." Given the information provided in the 2016 City of Manistee Master Plan and the statements from the plan quoted throughout this memo, the City of Manistee Planning Commission supports and recommends the creation of a NEZ and finds that the current Master Plan supports this recommendation.

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Mark Wittlieff, Chair





### **Planning Commission**

April 27, 2023

City of Manistee Planning Commission Members 70 Maple Street Manistee, MI 49660 Katie Mehl
Manistee County Planner
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Dear Planning Commission Members,

At the May Planning Commission meeting, I had indicated that a recent discussion with the City Attorney regarding the reference of residential use condominiums under subsection H. indicated above, has revealed this portion of the language needs amendment. The City Attorney has advised that parking should either be required for all residential units in the C-3 District or exempt for all residential units, regardless of being a condo. During discussion, the Planning Commission requested that I follow back with the City Attorney and request that he provide further explanation for why this amendment is warranted. Please see below for the email response providing this explanation:

"I'm following-up on our meeting yesterday.

We discussed a proposed zoning ordinance change to address parking requirements that are imposed upon residential use condominiums. Article 5, Section 514 H. of the Zoning Ordinance exempts the parking requirements of Section 514 from permitted and special uses in the C-3 District, except hotels, motels and residential use condominiums. By imposing parking requirements on residential use condominiums in C-3 that we do not also apply to residential apartments we are running afoul of the Michigan Condominium Act.

Section 141 of the Michigan Condominium Act provides, in part:

(1) A condominium project shall comply with applicable local law, ordinances, and regulations. Except as provided in subsection (2), a proposed or existing condominium project shall not be prohibited nor treated differently by any law, regulation, or <u>ordinance of any local unit of government, which would apply to that project or development under a different form of ownership.</u>

By imposing conditions on a residential condominium that would not be imposed upon the same property if it were an apartment, we are enacting legislation that treats differently the same property based upon the type of ownership. This is what the Michigan Condominium Act prohibits. Amending

### the ordinance merely conforms the ordinance to the law and removes a provision that was unenforceable."

Staff is requesting the Planning Commission takes action to hold a public hearing at the July meeting to facilitate this recommended amendment. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Katie Mehl

Manistee County Planner

City of Manistee Zoning Administrator

kmehl@manisteecountymi.gov www.manisteemi.gov



# Historic District Commission Permits as of 5/25/2023

Date Approved	Permit #	Date Expires	Address	Name	Details	Status
5/10/2022	PHDC22-006	5/10/2023	369 River St	Brandon Ball	Painting Building	In Progress
5/12/2022	PHDC22-007	5/12/2023	95 Maple St	Library	Maintenance & Repair	In Progress
7/08/2022	PHD22-010	7/08/2023	321 River St	Paulette Junker	Doors/Windows Front & Rear	In Progress
7/12/2022	PHDC22-011	7/12/2023	432 River St	BPO Elks No 250	Digital Sign	In Progress
10/20/2022	PHDC22-013	10/21/2023	345 River St	Manistee Inn & Marina	Painting Building	Complete
8/03/2022	PHDC22-014	4/03/2024	100 Washington St	CDI Construction Design	Façade	In Progress
1/05/2022	PHDC22-015	1/05/2024	141 Washington St	141 Washington LLC	Façade	In Progress
1/31/2023	PHDC23-002	1/31/2024	312 River St	Bluefish Kitchen	Dumpster Enclosure	In Progress
2/02/2023	PHDC23-003	2/02/2024	339 River St	Up North Collectors	Projecting Sign	In Progress
2/14/2023	PHDC23-004	2/14/2024	369 River St	Brandon Ball	Window Installation	In Progress
2/15/2023	PHDC23-005	2/15/2024	431 River St	Brandon Devine	Outdoor Seating	Withdrawn
3/09/2023	PHDC23-006	3/09/2024	435 River St	Joseph Mathewson	Windows, Sign & Façade	In Progress
3/09/2032	PHDC23-007	3/09/2024	325 River St	Manistee Proud	Tree Lights	In Progress
3/09/2023	PHDC23-008	3/09/2024	457 River St	The Outsider	Façade, Signs & Garage Door	In Progress
3/09/2023	PHDC23-009	3/09/2024	397 River St	Snyder's Shoes	Façade	In Progress
3/13/2023	PHDC23-010	3/13/2024	390 River St	Manistee Home Décor & Antiques	Vinyl Window Sign	Complete
3/15/2023	PHDC23-011	3/15/2024	308 River St	KSE Ventures LLC	Catwalk	In Progress
4/13/2023	PHDC23-012	4/13/2024	95 Maple St	Library	Windows	In Progress
4/13/2023	PHDC23-013	4/13/2024	397 River St	Snyder's Shoes	Sign	In Progress
4/26/2023	PHDC23-014	4/14/2023	318 River St	Golden Stag	Sign	In Progress
5/18/2023	PHDC23-015	5/18/2024	353 River St	Nu 2 U	Painting Building	In Progress

			2023 Land Use Permits and Business Registrations	Business Registrations
Permit #	Date	Address	Owner/Business	Details
Bus. Reg.	1/6	537 Cypress St.	Sweet Fire Tobacco	Change of ownership and business name
Bus Reg.	1/23	120 Cypress St.	AT&T	New business, no LUP due to tenant space approved on previous LUP
Bus. Reg.	1/17	350 River St.	River Street Sports Bar & Grill	Change of ownership
PZ23-001	1/19	149 Eighth St.	Edward Jay Devries	Addition on existing single family dwelling
PZ23-002	1/27	555 First St.	12th Street Youth Project	16x24 storage shed for existing equipment on property
Bus. Reg.	1/27	431 River St.	Gypsy's Botanica	New business, no LUP required with no change of use from previous tenant
PZ23-003	1/30	217 Arhtur St.	Little Riverside Motel & Marina	Dumpster enclosure
PZ23-004	1/31	312 River St.	Blue Fish Kitchen & Bar	Dumpster enclosure
PZ23-005	1/31	1104 Cherry St.	Lakeview Apartments	Dumpster enclosure
PZ23-006	2/2	170 Memorial Dr.	Family Dollar	Dumpster enclosure
PZ23-007	5/6	310 Glocheski Dr.	Manistee Benzie Comm. Mental Health	Dumpster enclosure
PZ23-008	2/3	313 Maple St.	Chad Whitman	PC-2023-01 SUP: Duplex
PZ23-009	2/27	303 First St.	Three Peas & Bellsprouts	Added use to property of retail establishment. Two tenants.
Bus Reg.	2/16	303 First St.	Bellsprouts	New business, PZ23-009 issued for new use
Bus. Reg.	2/23	64 Arthur St.	West Coast Construction Services	New business, PZ23-010 issued for new use
PZ23-010	2/27	64 Arthur St.	West Coast Construction Services	Added use to the property of professional office and dumpster enclosure
PZ23-011	3/1	78 Arthur St.	Verizon Wireless	Antenna upgrade on existing tower
Bus. Reg.	3/15	318 River St.	The Golden Stag	New business, no LUP required with no change of use from previous tenant
PZ23-012	3/30	355 Fifth Ave.	Margot Bloomfield	260 sq. ft. deck addition on existing deck
PZ23-013	4/13	603 Harvard Ln.	Richard & Marcia Schrock	446 sq. ft. ground mount solar array
Bus. Reg.	4/13	339 River St.	Upnorth Collectors	New business, PZ23-014 issued for new use
PZ23-014	4/20	339 River St.	Upnorth Collectors	Added use to the property of retail establishment
PZ23-015	4/20	174 Quincy St.	Leroy & Robin Peacock	1,254 sq. ft. driveway
PZ23-016	2/24	Cherry & Bryant	James Fifarek	4,100 sq. ft. new home construction w. attached garage
PZ23-017	5/1	526 Second St.	Greg Wisner	140 sq. ft. storage shed
PZ23-018	5/2	Cherry & Bryant	James Fifarek	~1,400 sq. ft. driveway
Bus Reg.	2/8	378 River St.	Gypsy's Botanica	resturant, gift shop, togo items in lower level of Manistee Inn & Marina
PZ23-019	5/16	375 River St. Ste. 2	Tristann Carroll	added use of a salon and wellness center in mixed use development
		- - - - - - - - - - -		(2) penthouse structures on mill building roof and 35x70x90 building to house (6)
PZ23-020	5/18	180 6th St.	Morton Salt	silos
PZ23-021	5/18	21 Cypress St.	Marty Spaulding	Mixed Use Development
PZ23-022	5/18	515 Maple St.	Manistee One LLC	Dumpster enclosure w/ waiver for 3-sides by PC
PZ23-023	5/23	531 Ninth St	James Nauta	24'x24' detached accessory building

		2023 Sign Permits	S
Permit #	Date Address	Owner/Business	Details
			"Story Stroll" signs on storefront window of various businesses in
PS23-001	1/3/2023 95 Maple St	Library	downtown. Program put on by the Library.
PS23-002	2/2/2023 339 River St	Up North Collectors	Projecting sign - 16 sq. ft.
PS23-003	3/2/2023 206 Cypress St	Domino's	Ground & Wall Sign
PS23-004	3/13/2023 390 River St	Manistee Home Décor & Antiques	Vinyl Window Sign
PS23-005	4/27/2023 457 River St	The Outsider	Projecting & Wall Signs
PS23-006	3/15/2023 303 First St	Bell Sprouts	Wall Sign
PS23-007	4/14/2023 318 River St	The Golden Stag	Projecting & Vinyl Wall Signs